

Table of Contents

Title 28 EDUCATION

Part I. Board of Elementary and Secondary Education

Chapter 1.	Organization.....	1
Chapter 3.	Rules of Procedure	8
Chapter 5.	Equal Employment Opportunity; Compliance; Assurances	14
Chapter 7.	Personnel Administration.....	14
Chapter 9.	Bulletins, Regulations, and State Plans	15
Subchapter A.	Bulletins And Regulations	15
Subchapter B.	State Plans	43
Subchapter C.	Nonpublic Regulations (Other than in Bulletin 741)	48
Chapter 11.	General Special Education Policies.....	53
Chapter 13.	Board Special Schools and Special School District No. 1	56
Chapter 15.	Vocational and Vocational-Technical Education.....	60
Subchapter A.	Vocational Education.....	60
Subchapter B.	Vocational-Technical Education.....	60
Chapter 17.	Finance and Property.....	67
Index	77

Title 28 EDUCATION

Part I. Board of Elementary and Secondary Education

Chapter 1. Organization

§101. Composition of the Board; Officers

A. Membership. The state board is composed of 11 members, three of whom are appointed by the governor with the consent of the Senate, and eight of whom are elected, one from each Congressional District.

B. Officers; Terms; Duties

1. The members of the board shall elect from among their members a president, vice-president, a secretary-treasurer, and such other officers as they deem necessary, whose terms shall be as fixed by the board.

2. The president shall conduct board meetings and perform duties designated by the board or by statute. The president shall sign on behalf of the board, contracts, agreements and/or official documents approved by the board. The president is authorized to make ad hoc decisions for the board in emergency situations when the board is not in regular or special session and where policies and statutes are silent. However, any such decisions which constitute an obligation, official position or action of the board are subject to ratification by the board at the next scheduled meeting.

3. The vice-president shall preside at board meetings in the absence or at the request of the president and shall perform any other duties specifically assigned by the board and any other such duties as requested by the president.

4. The secretary-treasurer shall preside at board meetings in the absence of both the president and the vice-president and shall perform any other duties specifically assigned by the board, and any other duties as requested by the president.

AUTHORITY NOTE: Promulgated in accordance with La. Constitution, Article VIII, Section 3 (B) and R.S. 17:01(B); R.S. 17:03.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§103. Board Committees

A. As a means of assisting the board in the exercise of its powers and responsibilities as defined in the Constitution and by law, standing and special committees are created.

B. Standing committees composed of not less than three members of the board and appointed by the president are:

1. 8(g) Committee. Charge: To allocate funds to any or all constitutional categories to enhance elementary and secondary education; to consider all administrative matters of the 8(g) program; and to establish expectations of academic excellence and require accountability of performance.

2. Accountability and Assessment Committee. Charge: To consider all matters relating to student, school and district accountability; to consider all student assessment issues; to determine necessary student and school level interventions based on assessment results of established assessment; to consider all issues regarding the statewide Accountability System; to coordinate resources for school improvement; to monitor the performance of student and schools.

3. Board Relations/Strategic Planning/Administration Committee. Charge: To improve the credibility and visibility of the board and communicate the problems and needs of education through activities of the board and superintendent; to provide for strategic planning and recommend performance outcomes for education initiatives; to consider routine administrative matters of the board; to organize issues-related information to guide board decisions; to administer the superintendent's evaluation; and to receive updates on the benefits of the department's reorganization; to consider program and personnel issues impacting the state Special Schools; to develop policies and procedures for charter school approval and implementation; and to administer loan fund activities of charter schools.

4. Career and Technical Committee. Charge: To serve as liaison with the LCTCS Board to oversee the administration of Carl Perkins funds; to consider matters related to secondary career training programs, such as JTPA; to monitor department activities related to secondary vocational education; to build an articulated framework from 9-16.

5. Finance/Audit Review Committee. Charge: To provide for a budget process; to annually develop and adopt a formula to equitably allocate education funds to parish and city school systems; to formally review operational plans developed by BESE, SDE, and Special Schools prior to submission to the Office of Planning and Budget; to grant budget approval and any revisions for the SDE, BESE, and Special Schools; to assure that adequate funding and appropriations are passed along with accountability measures for Special Schools; to review and approve all contracts and leases with agencies under its jurisdiction; to review and address SDE, BESE, and Special Schools audit reports and plans to correct irregularities; and to consider payment of invoices submitted for approval.

6. Legal/Due Process Committee. Charge: To consider legal issues and matters of litigation; to serve as an "administrative court of last resort" prior to adjudication in the judicial court system (usually revocation/reinstatement of teaching certificates, employee grievances involving property rights, and all due process matters); and to approve nonpublic schools in compliance with *Brumfield v. Dodd*.

EDUCATION

7. Legislative/Policy Oversight Committee. Charge: To study the impact of present and future state and federal legislation; to identify the board's role in new legislation; to review goals, implementation and appropriate performance indicators for education initiatives; to develop position statements and/or white papers on education related legislation pending before the legislature and to develop committee/floor strategies for proposed legislation; to draft legislative education reform recommendations; and to receive reports/studies on program results and/or evaluations.

8. Quality Educators Committee. Charge: To make recommendations regarding teacher certification standards, including course studies and teacher licensing test; to consider waivers and/or appeals to standards in special circumstances; to provide for teacher evaluation and assistance, including mentoring; to provide professional development and leadership development designed to improve teaching and learning; to review the impact of professional development activities on teaching and learning; to coordinate activities of the Technology Center; and to coordinate partnerships between secondary and post-secondary institutions.

9. School and Community Support Committee. Charge: To consider school support matters such as nutrition and transportation services, parental involvement, community based learning, school safety, migrant education, child welfare and attendance; and to make recommendations for community support in the area of adult/parental education and training.

10. Student and School Standards/Instruction Committee. Charge: To consider all matters relative to school and student standards; to set standards for high school graduation options; to monitor technical assistance in local curriculum development to align with the state content standards; to monitor curriculum based initiatives, such as Reading/Math; to provide for the education needs of special populations; and to provide for adequate textbooks and materials of instruction.

C. Special committees may be created from time to time to consider non-routine matters which may arise. The president shall appoint the members of special committees. Each special committee shall be terminated when the purpose for which it was created has been considered and finally acted on by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3(D) and R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990), amended LR 24:1496 (August 1998), LR 27:283 (March 2001).

§105. Board Advisory Councils

A. Creation. The following advisory councils are created:

1. Administrative Leadership Academy Advisory Council (R.S. 17:3751);

2. Adult Education Advisory Council;

3. Eight-G Advisory Council;

4. Nonpublic School Commission (R.S. 17:11);

5. Parish Superintendents Advisory Council;

6. School Library Advisory Council;

7. Special Education Advisory Council (R.S. 17:1954);

8. Special Education Advisory Council (R.S. 17:1954);

9. Teacher Certification Advisory Council (R.S. 17:31);

10. Proprietary School Commission (R.S. 17:3141.3);

11. Textbook and Media Advisory Council (R.S. 17:415.1); and

12. Textbook and Media Advisory Council (R.S. 17:415.1).

B. Composition. Unless otherwise provided by state or federal law, each advisory council of the board shall be created by board policy. The policy shall determine the size of the council membership; the number of persons to be appointed by each board member; and the persons, organizations, affiliations, or interest groups to be represented on the council, and the length of terms. Unless required by law, no member of the board shall be a member of an advisory council.

1. Parish Superintendents Advisory Council. The Parish Superintendents Advisory Council shall consist of 23 members to include 22 members appointed by the board and one additional member who shall be the president of the Louisiana Association of School Superintendents who shall serve as chairman of the council. Each member of the board shall appoint two members, with at least one member, if possible, coming from a rural school system. Eight members shall constitute a quorum. Any appointed member, including the chairman, who cannot attend a meeting may appoint another superintendent from his district to represent him. The proxy shall have the same voting privileges as the appointed member. Members of the Parish Superintendents Advisory Council shall not receive reimbursement for travel expenses from the board.

2. Special Education Advisory Council

a. Creation. Pursuant to federal law and regulations and to state law, the Special Education Advisory Council is created to serve the state board in its constitutional functions to supervise and control public schools including programmatic and budgetary responsibility for all funds appropriated for special education programs.

b. Membership. The state advisory panel shall consist of members appointed by the governor, or any other official authorized under state law to make such appointments, that is representative of the state population and that is composed of individuals involved in, or concerned with, the education of children with disabilities, including:

Title 28, Part I

- i. parents of children with disabilities;
- ii. individuals with disabilities;
- iii. teachers;
- iv. representatives of institutions of higher education that prepare special education and related services personnel;
- v. state and local education officials;
- vi. administrators of programs for children with disabilities;
- vii. representatives of other state agencies involved in the financing or delivery of related services to children with disabilities;
- viii. representatives of private schools and public charter schools;
- ix. at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and
- x. representatives from the state juvenile and adult corrections agencies.

c. **Appointments.** As provided in R.S. 17:1954(A), the advisory council shall be appointed by the Department of Education with the approval of the state board. Each board member shall recommend to the superintendent of education one name to serve on the advisory body from one of the membership categories to be chosen on the basis of lots drawn by board members as vacancies occur. A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities.

d. **Procedures.** The Special Education Advisory Council shall conduct its meetings according to rules of procedures for state board advisory councils as found in §105 of this Code and in particular those policies relating to membership terms, selection of officers, filling of vacancies, payment of expenses, general functions, quorum, attendance, procedures for the conduct of meetings, reporting, and staffing by the state board and the Department of Education.

e. Functions

i. As stated in federal regulations, the functions of the advisory council shall be to:

(a). advise the state educational agency of unmet needs within the state in the education of children with disabilities;

(b). comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;

(c). advise the state educational agency in developing evaluations and reporting on data to the secretary under section 618;

(d). advise the state educational agency in developing corrective action plans to address findings identified in federal monitoring reports under this Part; and

(e). advise the state educational agency in developing and implementing policies relating to the coordination of services for children with disabilities.

ii. As stated in R.S. 17:1945.B, the advisory council shall review rules and regulations governing the Education of Exceptional Children Act.

iii. As stated in state board policy in LAC 28:I.105.G, the functions of the council are advisory in nature and considerations shall include items referred by the state board as well as items initiated by the council and approved by the board through its regular procedures.

iv. As stated in state board policy LAC 28:I.1711.E, the advisory council shall perform the duties related to disbursement of certain special education discretionary funds.

C. **Terms.** Unless otherwise provided by state or federal law, persons appointed by board members to advisory councils shall serve 2-year overlapping terms. All appointments are subject to ratification by the board. Removals, however, are not subject to board ratification, and a council member may be removed without cause by the board member making the appointment or by his successor.

D. **Officers.** Unless otherwise provided by state or federal law or board policy, each advisory council shall select from among its membership a chairperson and a vice-chair-person. Elections shall be annually at the first meeting in a calendar year, and the councils shall report election results to the board.

E. **Vacancies.** A vacancy in an appointed position shall occur if an appointee, for any reason, fails to serve the full extent of his 2-year term. Appointments to fill vacancies shall be considered interim appointments and shall be for the unexpired portion of the original 2-year term. Interim appointments to fill vacancies shall be ratified by the board. If the term of a board member terminates for any reason, appointments by the member to advisory councils shall also terminate; the new board member shall then fill vacancies for any unexpired term and, thereafter, shall make appointments on a regularly scheduled basis.

F. **Expenses.** All members of the advisory councils, including salaried public employees, shall be entitled to reimbursement for actual travel expenses unless specifically prohibited by statute or board policy. Members may submit requests for reimbursements for expenses in accordance with the regulations promulgated by the state commissioner of administration. The board will abide by the rules set forth by the Ethics Commission which allows salaried public employees to receive per diem payments as long as they are on annual leave.

EDUCATION

G. Functions. In general, the function of an advisory council is to advise the board, directly or through its Standing Committees, in the discharge of its policy-making, supervisory control and budgetary duties and responsibilities. Specific functions of an advisory council are determined by the creating law or policy. Advisory councils shall deal exclusively with matters referred to them by the board. Councils created by law shall submit agenda items for the next scheduled meeting as an addendum to the minutes.

H. Quorum. Unless otherwise provided, a quorum is a majority of the appointed membership. In the absence of a quorum, the advisory council may take action, but minutes submitted to the board shall indicate that the recommendations are being presented without the required quorum being present.

I. Attendance Policy

1. Letters of notification to council members regarding meetings should state that a proxy shall be sent if the appointed member is unable to attend the meeting.

2. Appointed members are expected to attend all scheduled meetings of an advisory body. Unless otherwise provided, if a member is unable to attend a meeting because of a justifiable reason, a request for an excused absence may be submitted to the council chairman and a nonvoting proxy may be named by the appointed member to serve for a total of three meetings. Any appointed member who misses three consecutive meetings without an approved excuse by the chairman shall be automatically terminated, and the appointing authority shall be asked to name a replacement to complete the unexpired term.

3. When it is known that a quorum is unlikely, the council chairman shall be so notified and the meeting will be canceled if the chairman so decides. If a majority of members are not present and a council meets, minutes of the meeting shall state that a quorum was not present.

4. The appointing authority for each member shall be notified immediately following each scheduled meeting indicating nonattendance of the appointee. The form should include:

- a. name of the council member;
- b. date of the meeting; and
- c. BESE policy on attendance.

J. Meetings

1. Each standing advisory council shall meet whenever necessary in order to consider referrals from the board. Special meetings shall be by call of the board, and emergency meetings may be called at the discretion of the staff director.

2. When possible, regular meeting dates shall be standardized and shall be determined by the chairperson of the council in consultation with the staff director or his designee. When meetings cannot be regularly scheduled, the chairperson of each council shall set each meeting date in

consultation with the staff director or his designee. Special meetings shall be held at such times as are named in the board calls. The staff director shall set the dates and times of emergency meetings.

3. Notices of council meetings shall be mailed to council members by the board staff at least 10 days in advance of a meeting. All council meetings shall be conducted according to the Open Meetings Law.

K. Procedures

1. In all particulars, except for those listed in these rules and procedures, the business in advisory councils shall be conducted according to *Robert's Rules of Order*, and in particular with "Procedure in Small Boards," Rule 48.

2. Every motion passed by an advisory council whether or not made as a recommendation shall be made as a main motion and must be seconded. All motions must be voted on with a show of hands, and roll call votes may be requested by any of the membership in attendance at a meeting.

L. Minutes; Reports. The minutes and reports of each advisory council shall be presented to the board staff director for referral to the board or to the appropriate standing committee(s). The standing committee(s), after consideration of the recommendations of the advisory council, shall report committee recommendations to the board for final action.

M. Staffing

1. The board staff shall serve as secretariat to the advisory councils of the board. Secretarial services shall include the preparation of agenda and minutes, both of which shall be prepared according to regular office procedures of the board. The staff director shall supply each council with a staff person who shall serve as an aide to the chairperson of the council and as a representative of the staff director for the purpose of coordinating activities of the advisory councils and the standing committees of the board. Minor research projects may be prepared for advisory councils by the board staff, provided the staff director approves the project in advance of its being undertaken and after its completion.

2. Staff assistance from employees of the Department of Education may be secured by advisory councils only on a directive from the superintendent of education.

AUTHORITY NOTE: Promulgated in accordance with La. Constitution Article VII, §10.1; R.S. 17:6(9); R.S. 17:11; R.S. 17:24.4; R.S. 17:415.1; R.S. 17:1954; R.S. 17:3762; R.S. 17:3801; R.S. 42:4.1-12; 20 USC 1413 (§613) and 20 USC 3474 (§112).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:427 (November 1978); amended LR 5:137 (June 1979), LR 5:383 (December 1979), LR 14:10-11 (January 1988), LR 14:293 (May 1988), LR 14:702 (October 1988), LR 14:790 (November 1988), LR 14:62 (December 1988), LR 16:297 (April 1990), LR 19:1310 (October 1993), LR 21:550 (June 1995), LR 22:99 (February 1996), LR 23:1303 (October 1997), LR 24:1093 (June 1998), LR 25:255 (February 1999), LR 25:418 (March 1999).

§107. Board Appeals Councils

A. Teacher Certification Appeals Council

1. **Composition.** A Teacher Certification Appeals Council shall be appointed by the board and shall consist of nine members, three of whom shall be representatives from the universities, one of whom shall be a representative of the Parish Superintendents' Association, one of whom shall be a representative of the Personnel Directors' Association, one of whom shall be a representative of the Principals' Association, and three of whom shall be classroom teachers. The classroom teachers shall consist of one representative each from the Louisiana Federation of Teachers, Louisiana Association of Educators, and the Associated Professional Educators of Louisiana. The board will be responsible only for paying travel expenses of council members at the state rate.

2. Duties and Responsibilities

a. The Teacher Certification Appeals Council performs the following duties:

i. evaluate the appeals of persons seeking Louisiana certification under the standards in Bulletin 746, Louisiana Standards for State Certification school personnel whose appeals cannot be processed according to the guidelines in §315.D; and

ii. submit a written record of its findings and recommendations to an appeals committee composed of board members for its review and recommendations to the full board.

b. The responsibilities of the Teacher Certification Appeals Council shall be to:

i. evaluate the appeals documents, including the transcripts of appellants, for consideration of Bulletin 746 (minimum requirement) waivers;

ii. interview each appellant who chooses to appear before the council; and

iii. make recommendations to the appeals committee on waivers of minimum certification standards.

c. The appeals council, in the absence of mitigating circumstances, shall not be required to consider appeals of persons who:

i. are nondegreed; or

ii. lack the required NTE scores.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:359 (October 1978), LR 5:346 (November 1979), LR 15:962 (November 1989), LR 16:297 (April 1990), LR 22:1124 (November 1996), LR 24:283 (February 1998), LR 24:1093 (June 1998).

§109. Special Schools; Special School District No. 1

A. Special Schools. Special schools under the jurisdiction of the board are:

1. Louisiana School for the Deaf;
2. Louisiana School for the Visually Impaired; and
3. Louisiana Special Education Center.

B. Special School District No. 1. Special School District No. 1 provides education and related services to exceptional children enrolled in state operated special education programs. The district is an intermediate educational unit administered by the Department of Education with approval by the board. Components of Special School District No. 1 are as follows.

1. Special Schools under the jurisdiction of Special School District No. 1 are on the grounds of the following Office of Mental Retardation facilities:

a. Metropolitan Development Center located in Plaquemine Parish in Belle Chasse, Louisiana;

b. Columbia State School located in Caldwell Parish in Columbia, Louisiana;

c. Hammond State School located in Tangipahoa Parish in Hammond, Louisiana;

d. Leesville State School in Vernon Parish in Leesville, Louisiana;

e. Northwest Louisiana State School located in Bossier Parish in Bossier City, Louisiana;

f. Pinecrest State School located in Rapides Parish in Pineville, Louisiana;

g. Ruston State School located in Lincoln Parish in Ruston, Louisiana;

h. Southwest Louisiana State School located in Acadia Parish in Iota, Louisiana; and

i. Thibodeaux State School located in Lafourche Parish in Thibodaux, Louisiana.

2. Special schools under the jurisdiction of Special School District No. 1 are on the grounds of the following Office of Mental Health facilities:

a. Central Louisiana State Hospital located in Rapides Parish in Pineville, Louisiana;

b. Greenwell Springs Hospital located in East Baton Rouge Parish in Greenwell Springs, Louisiana;

c. Southeast Louisiana Hospital in St. Tammany Parish in Mandeville;

d. East Louisiana State Hospital located in East Feliciana Parish in Jackson, Louisiana;

EDUCATION

e. Feliciana Forensic Unit located in East Feliciana Parish in Jackson, Louisiana; and

f. New Orleans Adolescent Hospital located in Orleans Parish in New Orleans, Louisiana.

3. Special education programs under the general supervision of Special School District No. 1 are on the grounds of the following Department of Corrections facilities:

a. Louisiana Training Institute located in East Baton Rouge Parish in Baton Rouge, Louisiana;

b. Louisiana Training Institute located in Jefferson Parish in Bridge City, Louisiana;

c. Louisiana Training Institute located in Ouachita Parish in Monroe, Louisiana;

d. Louisiana Correctional Institute and Industrial School located in Calcasieu Parish in DeQuincy, Louisiana;

e. Louisiana State Penitentiary located in West Feliciana Parish in Angola, Louisiana;

f. Hunt Correctional Center located in Iberville Parish in St. Gabriel, Louisiana; and

g. Adult Reception and Diagnostic Center located in Iberville Parish in St. Gabriel, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with La. Constitution Article VIII, Sec. 3 (A); R.S. 17:4, R.S. 17:4.1; R.S. 17:1941; R.S. 17:1951.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§111. Vocational Technical Schools

A. Postsecondary vocational technical schools under the jurisdiction of the board are:

1. Alexandria Regional Technical Institute, Alexandria;

2. Ascension Technical Institute, Sorrento;

3. Avoyelles Technical Institute, Cottonport;

4. Bastrop Technical Institute, Bastrop;

5. Baton Rouge Regional Technical Institute, Baton Rouge;

6. Claiborne Technical Institute, Homer;

7. Shelby M. Jackson Memorial Technical Institute, Ferriday;

8. Delta-Ouachita Regional Technical Institute, West Monroe;

9. Elaine P. Nunez Technical Institute, Chalmette Port Sulphur Technical Institute, Port Sulphur Branch of Elaine P. Nunez Technical Institute;

10. Evangeline Technical Institute, St. Martinville;

11. Folkes Technical Institute, Jackson;

12. Gulf Area Technical Institute, Abbeville;

13. Hammond Area Technical Institute, Hammond;

14. Florida Parishes Technical Institute, Greensburg;

15. Huey P. Long Technical Institute, Winnfield; Rod Brady Technical Institute, Jena Branch of Huey P. Long Technical Institute;

16. Jefferson Technical Institute, Metairie;

17. Jefferson Davis Technical Institute, Jennings;

18. Lafayette Regional Technical Institute, Lafayette;

19. Lamar Salter Technical Institute, Leesville;

20. Mansfield Technical Institute, Mansfield;

21. Jumonville Memorial Technical Institute:

a. Main campus C New Roads; and

b. Off-campus facility C Port Allen;

22. Natchitoches Technical Institute, Natchitoches;

23. New Orleans Regional Technical Institute, New Orleans;

24. North Central Technical Institute, Farmerville;

25. Northeast Louisiana Technical Institute, Winnsboro;

26. Northwest Louisiana Technical Institute, Minden;

27. Oakdale Technical Institute, Oakdale;

28. River Parishes Technical Institute, Reserve;

29. Ruston Technical Institute, Ruston;

30. Sabine Valley Technical Institute, Many;

31. Shreveport-Bossier Regional Technical Institute, Shreveport;

32. Sidney N. Collier Technical Institute, New Orleans;

33. Slidell Technical Institute, Slidell;

34. South Louisiana Regional Technical Institute, Houma;

35. Acadian Technical Institute;

36. Sowela Regional Technical Institute, Lake Charles;

37. Sullivan Technical Institute, Bogalusa;

38. T. H. Harris Technical Institute, Opelousas;

39. Tallulah Technical Institute, Tallulah Margaret Surles Technical Institute, Lake Providence Branch of Tallulah Technical Institute;

40. Teche Area Technical Institute, New Iberia;

41. Lafourche Technical Institute:

a. Lafourche Technical Institute, North Campus; and

b. Lafourche Technical Institute, South Campus;

42. Charles B. Coreil Technical Institute;
43. West Jefferson Technical Institute, Harvey;
44. Westside Technical Institute, Plaquemine; and
45. Young Memorial Technical Institute, Morgan City.

B. The Louisiana Technical Resource Center operating under the jurisdiction of the state board, is located in Natchitoches, Louisiana.

C. The Regional Management Centers, operating under the jurisdiction of the state board, are:

1. Regional Management Center 1, New Orleans;
2. Regional Management Center 2, Baton Rouge;
3. Regional Management Center 3, Houma;
4. Regional Management Center 4, Lafayette;
5. Regional Management Center 5, Lake Charles;
6. Regional Management Center 6, Alexandria;
7. Regional Management Center 7, Shreveport; and
8. Regional Management Center 8, Monroe.

AUTHORITY NOTE: Promulgated in accordance with La. Constitution, Article VIII, Section 3 (A); R.S. 17:1991-2009.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990), amended LR 17:880 (September 1991), LR 18:1118 (October 1992), LR 18:1250 (November 1992), LR 20:648 (June 1994), LR 20:998 (September 1994).

§113. Board Staffing

A. Bonding of Employees. All persons subject to the jurisdiction of the board who sign checks shall be bonded.

B. Executive Director. The executive director and professional staff members in the board office shall be appointed by the board.

C. State Superintendent of Education.

1. Qualifications for Appointment. The state superintendent of education, appointed by the Board of Elementary and Secondary Education, shall possess the following qualifications:

- a. General:
 - i. advanced degree in public administration, education or related area;
 - ii. background in the formulation and implementation of public policy, and
 - iii. strong academic background.
- b. Experience:
 - i. proven record of success in administration;
 - ii. demonstrated ability to achieve positive results;

- iii. credibility in his/her current profession; and
- iv. proven record of team building.
- c. Professional Skills:
 - i. proven decision-making;
 - ii. proven leadership skills;
 - iii. ability to work effectively with the legislature and executive branches of the government, education, business and civic organizations; and
 - iv. outstanding interpersonal and communication skills.

2. Salary. The annual salary of the appointed state superintendent of education will be fixed by the board not to exceed \$100,000.

3. Staff Appointments. The state superintendent of education shall exercise his responsibilities for personnel appointments in the following manner.

a. The superintendent may establish or abolish positions that direct the offices and bureaus and otherwise organize the major units of the Department of Education, with the consent of the board.

b. The superintendent shall determine the duties and responsibilities of all personnel assigned to positions in the department.

c. The selection of appointees to classified positions in the department shall be in accordance with procedures approved by Civil Service Department.

d. Appointments of senior departmental personnel to unclassified positions shall be made by the superintendent, with the prior consent of the board. They shall serve at the pleasure of the superintendent in accordance with the law.

e. Appointments of personnel to unclassified positions in the vocational-technical schools, Special Schools and Special School District No. 1, shall be made by the superintendent with prior approval of the board.

f. The superintendent may delegate, subject to the approval of the board, the appointing authority conferred upon him to directors or administrative heads of vocational-technical schools, Special Schools, and other administrative units.

g. The selection of appointees to all unclassified positions shall be based on professional, technical, and/or clerical qualifications appropriate to each position.

h. No person shall, on the basis of race, color, religion, sex, age, national origin, handicap, veteran status or any other non-merit factor, be discriminated against in any employment practice.

i. A monthly report on all new appointments and terminations will be provided to members of the board.

EDUCATION

j. In addition to the above, the superintendent shall exercise his responsibilities for personnel matters in accordance with the Constitution and laws of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (D); R.S. 17:6 (A) (10); R.S. 17:21, 22.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 14:11 (January 1988), LR 14:145 (March 1988), LR 14:861 (December 1988), LR 16:297 (April 1990).

§115. Cooperation with Other Agencies

A. Agencies under the jurisdiction of the board are to cooperate with the Division of the Blind Services, Department of Health and Hospitals, in its vending stand program for rehabilitation of the blind by establishing vending stands if they are desirable and do not interfere with other activities at the institutions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (D); R.S. 17:6 (A) (10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

Chapter 3. Rules of Procedure

§301. Board and Committee Meetings

A. Compliance with the Public Meetings Law. All meetings of the board and its committees shall be conducted according to provisions of the state's public meetings law.

B. Regular Board Meetings. The president of the board shall call regular board meetings at least four times a year to fall within calendar quarters. Regular meetings of the board shall convene on the fourth Thursday of the month, except in November and December, unless a simple majority of board members agree to meet on another day.

C. Special Board Meetings. Special meetings of the board may be held upon call of the president, and the president shall call a special meeting whenever requested to do so by a majority of the total members of the board.

D. Regular Committee Meetings. The chairman of each standing committee of the board shall call regular committee meetings at such times as necessary for consideration of items referred by the board to the committee.

E. Special Committee Meetings. Special meetings of a standing committee may be held upon call of the committee chairman, and the chairman shall call a special meeting whenever requested to do so by a majority of the total named members of the committee.

F. Public Notice. Public notices for regular and special meetings of the board and its standing committees shall be made as required by the state's public meetings law. A 24-hour written public notice shall be given of any regular, special or rescheduled meeting of the board and its committees. The 24-hour public notice shall include the agenda, date, time, and place of the meeting.

G. Notices to Members. Board members shall be given at their official residences a 24-hour written notice of all regular and special meetings of the board and its committees. Cancellations of any board or committee meetings shall be made only after a 24-hour notice to board members, or in the event of the absence of a quorum, at the scheduled time and place of the meeting.

H. Committee Agenda Items. The agenda for each committee meeting shall include only those items to be discussed at the meeting. The agenda may include as an attachment a list of all other board referrals retained in committee pending final committee action.

I. Submission of Board Agenda Items. All agencies under the jurisdiction of the board shall present agenda material to the board 15 days prior to the board meeting.

J. Mailing of the Agenda. The agenda for board and committee meetings shall be mailed to board members at least 10 days prior to the meeting date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 and R.S. 42:4.1-12.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 5:275 (September 1979), amended LR 5:346 (November 1979), LR 16:297 (April 1990).

§303. Tape Recordings

A. Tape recordings shall be made and kept of all official meetings of the board and its committees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (D).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§305. Documents, Papers, Property

A. No documents, papers, or any other property of the Board of Elementary and Secondary Education shall be removed from the office of the board without the authorization of the board or of its director.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (D).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§307. Rules of Order

A. Order of Business. The official order of business of any meeting of the board or any committee thereof shall be as follows.

1. The presiding officer shall call the meeting to order and request the secretary, or his designee, to call the roll to determine the presence of a quorum.

2. The minutes of the preceding meeting of the board, if available, shall be considered and approved.

3. The proposed agenda shall be adopted as the official order of business for the meeting, including unfinished business from the preceding meeting.

4. Any special order of the day shall be scheduled by the board.

5. Matters presented by members of the board which are not included on the agenda shall be considered.

6. The date of the next meeting of the board shall be determined.

B. Meetings, Recess, Adjournment

1. A meeting of the board is a single official gathering of the members in one room or area to transact business for a length of time, during which there is no cessation of proceedings and the members do not separate, except for short recesses. Depending on the business to be transacted, a meeting may last from a few minutes to several hours and may be carried over for more than one day, if deemed necessary.

2. A recess is a short intermission of a meeting which does not end the meeting or destroy its continuity as a single gathering, and after which proceedings are immediately resumed from the point of interruption.

3. An executive session of the board or its committees shall be conducted in accord with state law and shall be ordinarily limited to matter dealing with personnel, security measures, matters under litigation, and personal matters involving members of the board. No official action shall be taken in executive session.

4. An adjournment terminates the meeting.

5. Presiding officers shall conduct board meetings in conformance with state laws, board policy and *Robert's Rules of Order*.

C. Establishing Agenda, Transacting Business, Considering New Matters

1. The secretary (recorder) shall prepare a tentative agenda which shall be submitted to the members of the board along with necessary documents at least 10 days prior to the date of the meeting.

2. A member may suggest at a prior meeting or within the specified time before preparation and mailing of the agenda, any item to be included thereon.

3. A member may ask that an item be placed on the emergency agenda and if his request is agreed to, the board may act thereon.

4. Formal action requires that any matter be submitted to the board by motion duly seconded.

5. The chair states the motion and calls for discussion, after which the board may act on such matter following repetition of the question by the chair.

D. Motions. Procedures for the making of motions (main, subsidiary, privileged, incidental, and those that bring a question again before the board, as well as renewals, dilatory and improper motions) shall follow *Robert's Rules of Order*, and in particular, Rules 10 through 38.

E. Personal Privileges. Each member of the board shall have the opportunity to speak on personal privilege following request by the member and recognition by the chair. This privilege shall be conducted according to *Robert's Rules of Order*, and in particular, according to Rule 19.

F. Point of Order

1. When a member of the board feels the rules of the board are being violated as to procedure, he can make a point of order request to the chair, calling upon the chair for a ruling and an enforcement of the regular rules. A point of order shall follow procedures in *Robert's Rules of Order*, and in particular, Rules 23 and 24.

G. Requests and Inquiries. In connection with business in a meeting, members of the board may wish to obtain information or to do or have something done that requires permission of the board. Procedures for requests and inquiries shall follow *Robert's Rules of Order*, and in particular, Rule 32. A member may request that his views on individual items become part of the minutes. Such views may be presented to the secretary in writing within three working days after the board meeting.

H. Voting

1. All voting shall be roll call vote, except when it is requested by the chair that vote be taken orally or by show of hands, or by request of a member wishing to be recorded as voting for the record.

2. A roll call must be taken on each motion if requested by any one member of the board.

3. The voting by roll call shall be done alphabetically so as to show no partiality toward any member.

4. Any member may have his written explanation of a vote recorded in the minutes.

I. Quorum. A quorum of the board consists of six of its members who must be present in order that official business may be legally transacted. Any committee must have at least two members of the board present in order to officially transact business.

J. Rules Governing Discussion

1. Board members and staff should be on time for meetings, especially the first meeting each day. It is difficult to make up lost time with such a heavy schedule of committee meetings.

2. There will be no discussion on a motion until it is seconded. The discussion shall be limited to the merits of the pending question. The order of discussion shall be left solely to the discretion of the chair. No board member will speak without first receiving recognition of the chairman.

3. Each member of the board shall be allowed to speak no more than twice on the same motion, unless he requests permission of the chair to be allowed to answer something of a personal nature or to correct a gross mistake. This shall in no way be interpreted to supersede the personal privilege prerogative of each member of the board.

EDUCATION

4. Committee chairpersons should be cognizant of time allotted for committee work and attempt to conduct business within the time allotted. The chair shall have the right to limit, in time, the length of discussion on each motion, if time is of a critical nature.

5. The maker of the motion will be given the first opportunity to speak and to close on the motion if they so desire. It is recommended that each member, in discussing an issue before the board, attempt to:

- a. confine his remarks to the merits of the pending question;
- b. refrain from attacking a members motives;
- c. address all remarks through the chair;
- d. refrain from speaking on a prior action unless it is reconsidered by the board or committee;
- e. read reports, quotations, etc., only without objection;
- f. refrain from disturbing the board meeting, if possible; and
- g. limit response so everyone who wishes to comment on a motion can do so.

6. It is the responsibility of the president or chairperson of a committee to direct the orderly meeting discussion. The chair, as an individual member of the board, has the same right to discussion as any other member, but the impartiality required of the chair in a discussion precludes his exercising these rights while he is presiding. If the chairperson wishes to make lengthy discussion comments they should relinquish the chair to the vice-chair, secure recognition, and participate as a normal member. It is requested that any remarks which the chair wishes to make concerning an issue should be made after all other members have been recognized.

7. There will be no more than two amendments to a motion that is before the body. If one of these two is removed, another may be added.

8. A motion to close debate requires a 2/3 vote of those present and voting.

9. Only those motions which are included in the agenda and are germane will be considered.

10. State department personnel should condense all presentations as much as possible and only in special instances should these presentations exceed 30 minutes.

11. An individual board member may request from the Department any public document which has already been prepared or is in readily available form.

12. A board member may not request new research, records or reports not available and which requires compilation or research without a motion adopted by a majority of the board.

13. Only the board executive secretary, staff person assigned to the committee or the Deputy Superintendents are allowed to come up on the dais while business is being conducted.

14. The chairperson should ask all presenters to identify themselves for the record.

15. A quorum is required at full board meetings to conduct business and six votes are required to pass a motion. Two board members present and voting are required to conduct business at a committee meeting.

16. If a board member or the superintendent want to have a lengthy private discussion with another board member or members, they should not do this in front of the audience (i.e., go to one of the side rooms.) Audience is asked to go outside the meeting room for their personal discussions.

17. It is suggested that ceremonial acknowledgments on Thursday board meetings should be made by the president and the local board member only. (In behalf of all board members.)

18. Board members are asked to remain seated when local school personnel are making presentations to the board as it is always an honor to be recognized by state-level officials.

19. Cell phones and beepers should be turned off or taken to the side rooms for conversations when activated.

20. At the full board meeting when approving committee minutes, any board member can request that a motion be addressed without being on the prevailing side.

21. All other rules and procedures not modified by these guidelines shall be governed by *Robert's Rules of Order*, revised edition.

22. In order to carry on its business in an orderly and efficient manner, the board utilizes 10 standing committees of the whole. Full discussion of board business usually occurs at the committee level, and public comment should ideally be at that time and not after a recommendation is forwarded to the board. Opportunity to comment publicly on a committee or board agenda item may be provided to a representative number of proponents and opponents according to the following procedures.

- a. Persons desiring to address the committee/board should notify the chair prior to the beginning of the meeting and identify the issue or item to be addressed. Other members of the public may be recognized at the discretion of the chair.

- b. All speakers will conduct themselves in a decorous manner.

- c. The chair shall have the right to limit, in time, the length of discussion on each motion, if time is of a critical matter.

d. The order of discussion shall be left solely to the discretion of the chair.

e. Persons addressing the committee/board shall confine remarks to the merits a specific agenda item before the board/committee; refrain from attacking a board member's motives; address all remarks through the chair; refrain from speaking adversely on a prior action not pending; read reports only without objection; and refrain from disturbing the meeting.

f. Public comments should be limited to three minutes per person.

g. Persons making a public comment shall identify themselves and the group they represent, if any.

h. Groups and/or organizations should designate one spokesperson.

i. The chair shall have discretion to manage situations not addressed in these procedures.

COMMENT: It should be noted that BESE meetings while open to the public are not public hearing forums and therefore public comments allowed will be at board/committee discretion.

K. Committees. No committee is authorized to act without the approval of the board majority.

L. Election of Officers. The board shall elect a president, a vice-president, and a secretary-treasurer from its membership whose terms of office are fixed by the board not to exceed one year. These officers shall assume their duties at the board meeting immediately following their election.

M. Minutes. The record of proceedings of the board usually called the minutes shall contain mainly a record of what was done at the meeting. The minutes should never reflect the recorder's opinion, favorable or otherwise, on anything said or done. Members shall have the privilege to explain their vote if requested.

1. The body of the minutes should contain a separate paragraph for each subject matter and should show:

a. all main motions to bring a main question again before the board, except those withdrawn, giving:

i. the wording with which each motion was adopted or otherwise disposed of (with the facts as to how the motion may have been discussed or amended before disposition being mentioned only parenthetically);

ii. the disposition of the motion including any temporary disposition, and primary or secondary amendment and adhering secondary motions that were pending; and

iii. the names of the mover and the seconder;

b. all points of order and appeals whether sustained or lost together with reasons given by the chair for the ruling.

N. Changing the Rules of Procedure. These rules may be changed by a majority vote of the entire board, only after 15 days notice to each member.

O. *Robert's Rules of Order*. Parliamentary procedures not covered in §307 shall be in conformity with *Robert's Rules of Order*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (A-E).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990), amended LR 27:1012 (July 2001).

§309. Reports of Committees and Councils

A. All meetings of standing and special committees and councils shall be considered official functions of the board to assist in the execution of board responsibilities and duties, and actions of the committees and councils, to be operative, shall be recorded and presented to the board at its next regular meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§311. Public Advertisement of Policy

A. In conformity with the Administrative Procedure Act, the board shall advertise all matters which are related to policy in the *Louisiana Register* as soon as these are approved by the board. Policies of the board entered into the Louisiana Administrative Code shall be prepared for publication in the subsection to which an addition or amendment is made or by indication of a new section or subsection to be added to the Code. Proper identification of new and amended language to be entered into the Code shall be used in all aspects of amending process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (10); R.S. 49:950-970.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§313. Waivers of Minimum Standards: Procedures

A. Appeals Bodies. The president of the state board shall appoint ad hoc committees and advisory councils and designate standing committees to serve as appeals bodies which shall have the responsibility to:

1. review requests for waivers of minimum standards;
2. review controversies concerning personnel actions including the revocation of any teaching or school personnel certificate issued under Bulletin 746 and, at vocational-technical and special schools, reductions in force and tenure hearings;
3. consider other appeals and grievances requiring board action prior to further proceedings by the appellant; and
4. make recommendations to the full board for final action.

EDUCATION

B. Procedures for Requesting Waivers of Bulletin 741 Standards

1. The superintendent of the school system requesting deviation of any standard in Bulletin 741 shall submit documentation to the Department of Education justifying the request.

2. Technical assistance for meeting the standard as stated in Bulletin 741 shall be provided to the local system by the Department of Education.

3. When a deviation cannot be corrected by technical assistance, the department may consider a waiver of a standard using the guidelines in §313.C.

4. The department will report to the appropriate board committee bi-annually in June and December on the waivers that have been granted.

5. Requests that do not meet board-approved guidelines for administrative action shall be submitted by the state superintendent of education to the appropriate board committee with an executive recommendation for action.

6. The agenda of the appropriate board committee shall have a standing item for submission of reports from the state superintendent required in §313.B.5.

7. Schools in the nonpublic sector, in submitting requests for waivers of applicable minimum standards, shall follow the procedures outlined in this Section. Requests shall be submitted by the appropriate school administrative officer.

C. Administrative Waivers of Bulletin 741 Standards

1. Waivers for Class Size/Ratios. Waivers granted by the state department in the following categories will be considered only when the citation would place the school in an approved probational category.

a. Class Size Waivers. The department may waive class size requirements up to two students over the maximum allowable on receipt of the following:

i. a letter from the local superintendent detailing each class that exceeds the class size;

ii. documentation from the principal and the superintendent showing how efforts have been made to comply with standards;

iii. a copy of the school's master schedule with class sizes included; and

iv. class sizes above the limit of two will go directly to the appropriate board committee with an executive recommendation from the department.

b. Guidance/Librarian Ratios. The department may waive the required guidance and librarian ratios on receipt of the following:

i. a letter of justification from the local superintendent;

ii. a list of all administrative personnel in the school (part-time and full-time); and

iii. a detailed plan stating how the services will be provided to students.

2. Waivers for Deadlines

a. Electives and Alternative School Programs. A letter must be provided by the local superintendent specifying the reasons the deadline was not met.

b. Programs of Studies/Time Requirements. A letter must be provided by the local superintendent justifying the request.

3. Chronological Age Waivers. The Department of Education may waive chronological age requirements based on the following:

a. a request from the parish or system superintendent for deviation of the standard on the required form provided by the Office of Special Educational Services;

b. a letter from the parish or system supervisor/director of special education stating a rationale for the deviation and assuring that parents have been made aware through documented notification procedures of the deviation from standard;

c. technical assistance will be provided by the regional coordinator and a recommendation on the request will be made to the Office of Special Educational Services;

d. the OSES will notify the city or parish systems or schools of the recommendation; and

e. if denied, the city or parish systems may ask for a waiver from the Board of Elementary and Secondary Education.

NOTE: Implementation to begin with the 1990-91 school year.

D. Administrative Waivers of Certification Standards. Certification appeals categories are listed below with guidelines for handling each area by the Bureau of Teacher Certification.

1. Re-Employment on Temporary Certificate or Under Circular 665

a. Appeals Requested:

i. reissuance of a temporary certificate when the 6-hour requirement is not met; and

ii. re-employment under Circular 665 when the 6-hour and the NTE requirements are not met.

b. Guidelines. A temporary certificate may be reissued or re-employment under Circular 665 may be permitted when one or more of the following conditions are met.

i. Medical Excuse. When serious medical problems of the teacher or immediate family in the same household exist, a doctor's statement is required with a letter of assurance from the superintendent and teacher that the hours will be earned and/or the NTE will be taken if applicable.

Title 28, Part I

ii. Required Courses not Available. A letter of verification from area universities is required stating that the required courses are not being offered.

iii. Change of School, Parish or School System. A justification letter from the local superintendent is required. Reissuance is permitted only if the change is not part of a continuous pattern.

iv. Change of Certification Areas. A letter of justification from the local superintendent is required to explain the new job assignment with assurance that the requirements for the next temporary certificate or employment under Circular 665 will be met.

v. Courses not Applicable Toward Certification. A letter of justification from the local superintendent is required with assurance that the teacher will become enrolled in the proper program.

2. Renewal of an Expired Certificate. When a certificate has expired and six semester hours of refresher credit must be earned for renewal, the Bureau of Teacher Certification may issue a temporary certificate on the request of an employing authority. The teacher will have one year to earn six semester hours for renewal of a standard certificate.

3. Certification of Out-of-State Graduates

a. Certification of out-of-state graduates requires the following:

- i. completion of a state-approved teacher education program;
- ii. student teaching;
- iii. certificate from the state; and
- iv. NTE scores.

b. Appeal Requested and Guidelines

i. Certification of Out-Of-State Graduates when Teacher-Education Program was not Completed. Applicants may be certified based on a certificate from another state, student teaching or three years of teaching experience, and the appropriate Louisiana NTE scores.

ii. Certification of Out-of-State Graduates who have not Completed Student Teaching (Required After September 1975). Applicant may be certified based on a teaching certificate from another state, three years of teaching experience, and the appropriate Louisiana NTE scores.

iii. Certification of Out-of-State Graduates who Lack a Certificate from the State in which the Program Was Completed. Applicant may be certified based on completion of a state-approved teacher education program, student teaching or three years of teaching experience and the appropriate Louisiana NTE scores in lieu of the out-of-state test if it is the only deficiency preventing the applicant from gaining a certificate from that state.

4. Waivers of Practicum and Student Teaching Requirements when all Coursework is Completed

a. Appeal Requested and Guidelines

i. Waiver of Practicum Requirements. Practicum requirements, with the exception of the tests and measurements practicum, may be waived with three years of experience in the appropriate area if all other coursework is completed; or a temporary certificate may be issued if all academic requirements have been met. This will allow the teacher to continue his/her present position while gaining the necessary experience to apply for the waiver.

ii. Waiver of Student Teaching when a State Approved Program is Completed. Student teaching may be waived when the applicant has had three years of experience. This will be granted only if all coursework has been completed.

5. Miscellaneous

a. Appeal Requested and Guidelines

i. Certification of Louisiana Teacher-Education Graduates whose Applications were not Submitted Prior to September 15, 1978. Applicant may be certified if all requirements for standard certification were met at an approved institution in Louisiana prior to September 15, 1978.

ii. Initial Certification Prior to the NTE Requirement. Applicant can appeal only if the Bureau of Higher Education and Teacher Certification states that there are circumstances that warrant the appeal.

E. Programs in Special Education

1. The department may grant annual approval to school systems to conduct pilot programs upon receipt of a request signed by the superintendent which details how the program is to be implemented and the reason for its implementation.

2. An annual report must be submitted to the department upon completion of the program.

3. The department will submit to the board, a semiannual report on approvals granted.

4. A school system may appeal department disapproval of a program to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (10); R.S. 17:7 (5) (6) (7); R.S. 17:7.1; R.S. 17:1941, et seq. and R.S. 17:458.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 15:962 (November 1989), amended LR 16:297 (April 1990), LR 16:396 (May 1990), LR 16:1056 (December 1990), LR 18:602 (June 1992), LR 19:173 (February 1993), LR 19:739 (June 1993), LR 20:1261 (November 1994).

Chapter 5. Equal Employment Opportunity; Compliance; Assurances

§501. Equal Employment Opportunity; Affirmative Action

A. In compliance with all applicable federal and state laws and regulations (including but not limited to Title VII of the Civil Rights Act of 1964), the Board of Elementary and Secondary Education upholds the following policy:

This is an equal opportunity agency and is dedicated to a policy of nondiscrimination in employment in all agencies and institutions under its direct supervision (Department of Education, Special School District No. 1, Vocational-Technical Schools, and Board Special Schools). Applicants and employees will not be discriminated against on the basis of race, color, creed, national origin, sex, religion, age, handicap, or any other non-merit factor in any aspect of employment such as recruitment, hiring, promotion, retention, tenure, discharge, layoff, compensation, leave, fringe benefits, training, or any other employment practice or benefit.

B. Basic guidelines and methods of achieving the goal of equal employment opportunity will be set forth in affirmative actions plans approved by the board.

C. Should violations of any equal employment opportunity laws or regulations occur, appropriate disciplinary action will be taken by the appointing authority.

AUTHORITY NOTE: Promulgated in accordance with La. Constitution, Article X; R.S. 17:6; R.S. 17:22; R.S. 17:24; R.S. 17:1941; R.S. 17:1996; R.S. 23:972; R.S. 23:1006; R.S. 46:2254; 20 USCA.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:243 (August 1976), amended LR 4:224 (June 1978), LR 5:137 (June 1979), LR 6:19 (January 1980), LR 7:625 (December 1981), LR 16:297 (April 1990).

§503. Civil Rights Compliance; Assurances

A. In compliance with all applicable federal and state laws and regulations (including but not limited to Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973), the Board of Elementary and Secondary Education upholds the following policy:

This is an equal educational agency and is dedicated to a policy of nondiscrimination in all programs or activities under its direct supervision (Department of Education, Special School District No. 1, Vocational-Technical Schools, and Board Special Schools) or jurisdiction including local parish and city school systems or other entities receiving state or federal financial assistance through the board. No one will be discriminated in any employment practice nor in any educational program or activity on the basis of race, color, creed, national origin, sex, religion, age, handicap, or any other non-merit factor.

B. This board will receive and oversee distribution of state and federal funds to local parish and city school systems or other entities qualifying for financial assistance for educational programs.

C. The board will enter into agreements with funding agencies as are necessary to insure nondiscrimination and will submit such reports as may be required.

D. The staff of the Department of Education will conduct compliance activities as required by agencies providing funding to insure compliance with their regulations.

E. All appropriate records shall be maintained and will be available for inspection by those agencies providing financial assistance.

F. All local parish and city school systems or other entities under the jurisdiction of the board which receive state or federal financial assistance through the board will sign an assurance document stating that they will comply with all applicable board policies, Department of Education regulations, and federal and state laws regarding civil rights compliance.

G. Should violations of any civil rights laws and regulations occur, appropriate action will be taken by the board in conjunction with the respective funding agency. Such actions may include voluntary compliance, remedial action, and withholding financial assistance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:22; R.S. 17:24; R.S. 17:1941; R.S. 17:1996; 20 USCA.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:243 (August 1976), amended LR 4:224 (June 1978), LR 5:137 (June 1979), LR 6:19 (January 1980), LR 7:625 (December 1981), LR 16:297 (April 1990).

Chapter 7. Personnel Administration

§701. Personnel Policies

A. The personnel in agencies under the jurisdiction of the Board of Elementary and Secondary Education are governed by the following.

1. Bulletin 1868. The state board adopts as policy Bulletin 1868, entitled "Personnel Manual of the Board of Elementary and Secondary Education." Policies in this bulletin shall apply to personnel under the jurisdiction of the state board in the Board Special Schools; the entities comprising Special School District No. 1, exclusive of the central office staff; and entities in the vocational-technical system, exclusive of the assistant superintendent for vocational education, and related state department staff.

2. Coverage

a. The Board of Elementary and Secondary Education as the governing authority establishes personnel policies for the unclassified staffs of the Board Special Schools; Special School District No. 1, exclusive of the central office staff; and the vocational-technical system, exclusive of the assistant superintendent for vocational education.

b. These policies apply in instances where there are no provisions in federal or state statutes or resolutions, gubernatorial executive orders, Division of Administration policies for state agencies, or other controlling rules and regulations affecting unclassified personnel.

c. **Classified Personnel.** Classified personnel employed in the schools/agencies/entities under the jurisdiction of the state board are governed by the rules and regulations of the Civil Service Commission and Bulletin 1868 as applicable.

3. **Contents of Bulletin 1868.** Policies in Bulletin 1868 cover the personnel management areas of: responsibilities and authority; employment; training; discipline; compensation; performance evaluation; reduction in force; employee benefits; grievances; and health, safety, and environmental work factors.

4. **Implementation.** Personnel policies in Bulletin 1868 shall be used by employees and management in the operation of the schools/agencies/entities. A current, updated bulletin shall be available at each board school/agency/entity. As the board approves revisions to the bulletin, revised pages shall be processed and disseminated by the office of the state board.

5. **Cross Reference.** These policies are also entered in the Code in §921, Personnel Policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3 (D); R.S. 17:4; R.S. 17:4.1; R.S. 17:6 (A) (10); R.S. 17:43-49; R.S. 17:1951; R.S. 17:1991-2009.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

Chapter 9. Bulletins, Regulations, and State Plans

Subchapter A. Bulletins And Regulations

EDITOR'S NOTE: Policies, administrative regulations, standards, and directives adopted by the Board of Elementary and Secondary Education have the force and effect of law and shall be placed in regulatory bulletins printed and distributed by the Department of Education. A content description of each bulletin shall be entered into the Louisiana Administrative Code with citations for amendments promulgated through the Louisiana Register.

Amendments to a bulletin shall be carried as addenda to the board's policy manual until such time as the bulletin is revised; thereafter, amendments shall be expunged from the manual.

All bulletins shall be uniformly updated and kept current by the Department of Education.

Bulletins shall not supersede board policies.

§901. School Approval Standards and Regulations

A. Bulletin 741

1. Policies and standards governing the state approval of public and nonpublic elementary, secondary and special schools are adopted as public policy and are published by the Department of Education as Bulletin 741, Louisiana Handbook for School Administrators.

2. This bulletin contains policies and standards governing the operation and administration of public and nonpublic schools and the standards on which school approval is based. The regulations relate to regular and special elementary-secondary programs, and to vocational and adult education programs. Within these categories specific standards govern compliance with state and federal laws and regulations, personnel regulations, maintenance and use of records and reports, scheduling of classes, curriculum and instruction requirements, summer schools, student services, and community relationships.

B. Athletic Policies

1. **Athletic Contests.** Athletic contests for all grade levels shall be conducted in accordance with these rules:

a. all athletic contests shall be scheduled after school hours;

b. when possible, no instructional time should be missed by student athletes when traveling to athletic events;

c. if teams are allowed to be released from school early to attend these events, release time should be kept to a minimum and the Louisiana High School Athletic Association's "Regular Season Release Time Plan" must be followed when determining the release time to be used;

d. all classwork missed by student athletes while attending athletic events must be made up as soon as possible in the same manner that would be required of other students; and

e. the championship playoff season is viewed as something "special" for the entire school and therefore will be treated differently when determining release time.

2. **Scholastic Requirements for Participation in High School Athletics.** The board approved the scholastic requirements established by the Louisiana High School Athletic Association, 1984-85, for participation high school athletics. Schedule 7 of the association establishes, for each grade level, the minimum number of subjects/units required for graduation and a GPA of 1.5. The board will reassess its policy as the LHSAA rules are changed.

C. Kindergarten Developmental Readiness Screening Program

1. These regulations provide for the implementation of local kindergarten developmental readiness screening programs. Activities conducted under these regulations shall be coordinated with other forms of screening conducted by the school district.

2. Definition of Terms

Developmental Appropriate behavior by age level in areas such as motor skills, oral language development, cognitive development, social-emotional development, auditory discrimination, visual discrimination, and self-help skills.

EDUCATION

Readiness Screening Cthe process of identifying the performance levels, skills, and abilities of young children through the gathering of information concerning their physical, intellectual, emotional, and social development.

3. Target Population. Every child entering public school kindergarten for the first time shall be screened with a nationally recognized developmental readiness instrument. If a student is identified as handicapped according to Bulletin 1508 and has a current multidisciplinary evaluation, he or she shall not be excluded from this screening. If appropriate developmental screening information from the current evaluation cannot be used, appropriate adaptations of the developmental screening instrument shall be made. The results of the screening shall not be used to exclude any child who meets the age requirements from entering public school kindergarten.

4. Screening Instrument. Each local education agency (LEA) shall select and administer one nationally recognized readiness screening instrument from among those recommended by the Department of Education (LDE) and approved by the Board of Elementary and Secondary Education. The results of this screening shall be used in placing children within a regular kindergarten classroom setting and planning their instructional programs to meet identified needs.

5. Administrative Time Lines

a. Each LEA shall submit to the LDE by the date established by the LDE and annually thereafter the name of the developmental readiness screening instrument selected for systemwide use by the local school board for the purpose of program implementation.

b. Beginning with the 1987-88 school year and annually thereafter, screening shall occur within 30 days before or after the opening date of school.

6. Pupil Progression Plans. Beginning with the 1987-88 school year and annually thereafter, local pupil progression plans shall include the following:

a. the name of the developmental readiness screening instrument selected for system wide use;

b. the policies adopted for enrollment in kindergarten and the criteria used for placement; and

c. the age for kindergarten entrance (in accordance with R.S. 17:151.3).

7. Funding

a. In the initial year the state will pay the costs of kindergarten developmental readiness screening materials based on a per student allocation. Recurring costs for subsequent years will be based on the instrument selected and the cost of replacing consumable materials.

b. By October 15 of each year each LEA shall provide to the LDE a budget justification for renewed funding for the upcoming year. In subsequent years, if substantive changes entailing a significant increase are

required in the local program, a detailed budget justification must be submitted to and approved by the LDE.

8. Parental Advisement. Beginning with the 1987-88 school year and annually thereafter, local school systems shall inform the parent or guardian of the results of the individual student's screening

9. Reporting. By December 1, 1987, and annually thereafter, each LEA shall report to the LDE by school and by district, the number of students screened, appropriate scores or frequency distributions, and the manner in which the results were used in planning the kindergarten program. Each system shall make such report available to the public served by the local school board.

10. Instruments. Four kindergarten developmental readiness screening instruments for Cycle II of the state program listed below:

a. Chicago EARLY Assessment;

b. Miller Assessment of Preschools;

c. Developing Skills Checklist (DSC);

d. DIALCR (Developmental Indicators for the Assessment of Learning CRevised).

11. Adoption Cycle for Instruments

a. A review of kindergarten developmental readiness screening instruments shall be on a 5-year basis in lieu of the current 3-year cycle as now provided in board policy.

b. Fiscal year 1990-91 will be a transition year so that local school districts may opt to select a kindergarten developmental readiness screening instrument from the current list or from the new adopted list and fully implement Cycle II no later than 1991-92.

D. Issuance of Diplomas

1. All high school diplomas issued by the Department of Education shall bear the signature of the president of the Board of Elementary and Secondary Education, the state superintendent of education, the local school superintendent, and the principal of the school issuing the diploma.

2. Any state-approved nonpublic school which wishes to award the state diploma to its students shall contact the Department of Education for timelines and other administrative guidelines for administering the state exit testing program.

3. Any approved nonpublic school which does not choose to administer the state high school exit exam to its students may grant a school diploma which shall carry the same privileges as one issued by a state-approved public school.

4. The awarding of high school diplomas shall in no way affect the school approval classifications of any school.

Title 28, Part I

E. Instructional Television. The following procedures are to be used by the Department of Education for securing approval of ITV broadcasting schedules:

1. each parish shall choose an ITV Coordinator;
2. the coordinators shall meet to review old and new programs; and
3. the coordinators shall report their recommendations for additions or deletions of programs to the Department of Education which, then, shall make recommendations to the Board of Elementary and Secondary Education for its approval.

F. Laboratory Schools: Schedules of Attendance. University laboratory schools are permitted to change their schedules of attendance to coincide with university schedules.

G. Louisiana Education Week. One week in each school year shall be set aside as Louisiana Education Week, to be carried on simultaneously with American Education Week.

H. Holidays

1. November 11, Veteran's Day, is a holiday for all public elementary and secondary schools in the state. Students are encouraged to participate in Veteran's Day programs and celebration.

2. General Election Day shall be designated by each school system as a holiday every four years for presidential elections.

I. Thirteenth and Fourteenth Year Programs. The 13th and 14th year programs at Airline High School, Bossier Parish, and at St. Bernard Community College, St. Bernard Parish, are approved.

J. Bulletin 1452

1. Bulletin 1452, Revised 1993, The Handbook for Supervisors of Child Welfare and Attendance and School Social Workers is adopted.

2. This bulletin contains the standard operation procedures for child welfare and attendance supervisors, related Louisiana statutes affecting compulsory school attendance and discipline of students, related court cases and decisions, opinions of the attorney general and departmental attorneys regarding school attendance and discipline, BESE policies, guidelines for the home study program, implementation of the Exceptional Children's Act, and other related documents. The handbook is a compilation of the policies and regulations to which the supervisors of child welfare and attendance and school social workers must adhere.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3761-3764.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:483 (November 1975), amended LR 2:109 (April 1977), LR 2:133 (May 1977), LR 2:200 (June 1977), LR 2:225 (July 1977), LR 2:312 (August 1977), LR 2:317 (September 1977), LR 2:350 (October 1977), LR 2:406

(December 1977), LR 4:1 (January 1978), LR 4:70 (March 1978), LR 4:204 (May 1978), LR 4:207 (May 1978), LR 4:240 (July 1978), LR 2:294 (September 1978), LR 2:337 (October 1978), LR 4:360 (November 1978), LR 5:62 (March 1979), LR 5:77 (April 1979), LR 4:94 (May 1979), LR 4:140 (June 1979), LR 4:168 (July 1979), LR 4:276 (September 1979), LR 4:326 (October 1979), LR 4:345 (November 1979), LR 4:476 (December 1979), LR 6:53 (February 1980), LR 6:54 (February 1980), LR 6:144 (April 1980), LR 6:204 (July 1980), LR 6:488 (August 1980), LR 6:543 (September 1980), LR 7:288 (June 1981), LR 7:407 (August 1981), LR 7:484 (October 1981), LR 8:63 (February 1982), LR 8:142 (March 1982), LR 8:234 (May 1982), LR 8:276 (June 1982), LR 8:472 (September 1982), LR 8:510 (October 1982), LR 9:60 (February 1983), LR 9:389 (June 1983), LR 9:530 (August 1993), LR 9:548 (August 1983), LR 9:676 (October 1983), LR 9:753 (November 1983), LR 9:832 (December 1983), LR 9:836 (December 1983), LR 10:3 (January 1984), LR 10:7 (January 1984), LR 10:76 (February 1984), LR 10:280 (April 1984), LR 10:875 (November 1984), LR 10:876 (November 1984), LR 10:997 (December 1984), LR 11:7 (January 1985), LR 11:520 (May 1985), LR 11:617 (June 1985), LR 11:685 (August 1985), LR 11:758 (September 1985), LR 11:848 (October 1985), LR 11:945 (October 1985), LR 11:1065 (November 1985), LR 12:225 (April 1986), LR 12:420 (July 1986), LR 12:421 (July 1986), LR 12:667 (October 1986), LR 12:762 (November 1986), LR 12:763 (November 1986), LR 13:14 (January 1987), LR 13:84 (February 1987), LR 13:236 (April 1987), LR 13:290 (May 1987), LR 13:393 (July 1987), LR 13:433 (August 1987), LR 13:495 (September 1987), LR 13:496 (September 1987), LR 14:10 (January 1988), LR 14:145 (March 1988), LR 14:146 (March 1988), LR 14:227 (April 1988), LR 14:292 (April 1988), LR 14:348 (June 1988), LR 14:423 (July 1988), LR 14:531 (August 1988), LR 14:608 (September 1988), LR 14:609 (September 1988), LR 14:703 (October 1988), LR 14:861 (December 1988), LR 15:80 (February 1989), LR 15:260 (April 1989), LR 15:261 (April 1989), LR 15:376 (May 1989), LR 15:468 (June 1989), LR 15:544 (July 1989), LR 15:818 (October 1989), LR 15:819 (October 1989), LR 15:962 (November 1989), LR 16:297 (April 1990), LR 16:396 (May 1990), LR 16:605 (July 1990), LR 16:682 (August 1990), LR 18:27 (January 1992), LR 20:1261 (November 1994), LR 24:1896 (October 1998), LR 25:249 (February 1999), LR 25:419 (March 1999), LR 25:831 (May 1999), LR 25:1084 (June 1999), LR 25:1433 (August 1999), LR 25:1793 (October 1999), LR 25:2160 (November 1999), LR 25:2166 (November 1999), LR 26:62 (January 2000), LR 26:244 (February 2000), LR 26:246 (February 2000), LR 26:247 (February 2000), LR 26:458 (March 2000), LR 26:635 (April 2000), LR 26:1260 (June 2000), LR 26:1430 (July 2000), LR 26:1431 (July 2000), LR 26:1575 (August 2000), LR 26:2259 (October 2000), LR 27:32 (January 2001), LR 27:184 (February 2001), LR 27:185 (February 2001), LR 27:187 (February 2001), LR 27:694 (May 2001), LR 27:695 (May 2001), LR 27:815 (June 2001), LR 27:1005 (July 2001), LR 27:1181 (August 2001), LR 27:1182 (August 2001), LR 27:1512 (September 2001).

§902. Louisiana Dyslexia Law

NOTE: Bulletin 1903 has been moved to Part XXXV of this Title in a separate volume. A copy of the bulletin may be obtained from the Office of the State Register or viewed at <http://www.doa.state.la.us/osr/osr.htm>.

§903. Teacher Certification Standards and Regulations

A. Bulletin 746

1. Bulletin 746, Louisiana Standards for State Certification of School Personnel, is adopted, as revised.

EDUCATION

2. This bulletin contains a statement on the goals and objectives of certification. It outlines curriculum requirements for approved teacher education programs; it details course requirements for earning certificates in the areas of early childhood education, elementary education and secondary education, including teachers of exceptional children, all level (K-12) certifications, and ancillary certifications. Course requirements for certification as school administrators and supervisors are given. Requirements for

the certification of vocational-technical personnel, including personnel in regional centers, vocational-technical directors, assistant directors, and instructors are given in a separate section of the bulletin. Types of certificates are described, as are application procedures and due process rights for those not meeting the published requirements.

B. PRAXIS/National Teacher Examinations.
PRAXIS/National Teacher Examinations scores required for initial certification in Louisiana are:

PRAXIS/NTE SCORES

Area Examinations	Area Score	*PPST:R	*PPST:W	*PPST:M	PLT K-6	PLT 7-12
Administration and Supervision (0410)	620	---	---	---	---	---
Agriculture **	---	172	171	170		161
Art Education **	---	172	171	170	161 or	161
Biology and General Science (0030)	580	172	171	170		161
Business Education (0100)	540	172	171	170		161
Chemistry/Physics/General Science (0070)	530	172	171	170		161
Early Childhood Education (0020)	510	172	171	170	161	
Elementary Education:						
Curriculum, Instruction, and Assessment (0011)	156	172	171	170	161	
Content Area Exercises (0012)	137	172	171	170	161	
Education of Mentally Retarded	540	172	171	170	161 or	161
English Language, Literature, and Composition:						
Content Knowledge (0041)	160	172	171	170		161
Pedagogy (0043)	130	172	171	170		161
French (0170)	520	172	171	170		161
German (0180)	500	172	171	170		161
Home Economics Education (0120)	510	172	171	170		161
Industrial Arts Education **	---	172	171	170		161
Mathematics (0060)	550	172	171	170		161
Media Specialist/Library/A-V (0310)	560	172	171	170	161 or	161
Music Education (0110)	530	172	171	170	161 or	161
Physical Education (0090)	550	172	171	170	161 or	161
Social Studies:						
Content Knowledge (0081)	149	172	171	170		161
Interpretation of Materials (0083)	152	172	171	170		161
Spanish (0190)	540	172	171	170		161
Speech Communications **	---	172	171	170		161

PPST:RCPre-Professional Skills Test: Reading (0710)

PPST:WCPre-Professional Skills Test: Writing (0720)

PPST:MCPre-Professional Skills Test: Mathematics (0730)

PLT K-6CPrinciples of Learning and Teaching K-6 (0522)

PLT 7-12CPrinciples of Learning and Teaching 7-12 (0524)

*Computer-Based PPSTs are also available. Scores are: Reading (0711) - 319; Writing (0721) - 316; Mathematics (0731) - 315

**Area examination is not required.

C. Timelines for Acquiring Certification. Teachers and other school personnel will be allowed a certain period of time in which to acquire added certification.

1. With the exception of legislative acts, when certification requirements are changed requiring a program change at the college level, a period of at least four years shall be given so that catalogs can be changed and all incoming freshmen notified of the changes.

2. Any certification change made by the Board of Elementary and Secondary Education shall include implementation dates to be specified at the time of recommendation to the board for action.

3. An individual who met certification requirements prior to any change but who did not have the certification added to his certificate, shall be certified by the Department of Education upon presentation of evidence that the error was not of his own making. This does not cover those cases where an individual failed to meet his responsibility by having the certification added himself.

D. Revocation of Certificates

1. Revocation for a Felony Offense

a. A Louisiana teaching certificate may be denied or revoked if a certified court record indicates that the individual has received a final conviction by any state or federal court of a felony offense.

b. Upon receiving notice that a teacher has been convicted of a felony offense, defined by R.S. 14:2 (4), as being any crime for which an offender may be sentenced to death or imprisonment at hard labor, the Department of Education shall immediately suspend the teacher's certificate. The Department of Education shall promptly notify the board in writing and notify the person whose certificate is so suspended by registered mail to his last known address or by any other means reasonably designed to inform the affected teacher of the suspension and his right to a hearing. Upon the order of the board, the board staff shall notify the teacher of the date, time, and place of the hearing, which shall be not less than 20 days nor more than 30 days from the date of the board's order for a hearing. The notice shall be sent by registered mail, return receipt requested, to the last known address of the teacher or by any other means reasonably designed to inform the affected teacher of the hearing. The notice shall include the specific charge, the witnesses to be called by the department, the right of the teacher to present witnesses and documents in his defense, the right of the teacher to cross-examine any witnesses against him, and the right of the teacher to be represented by counsel of the teacher's choosing. The hearing shall be private unless the teacher elects to make it public. The purpose of the hearing shall be to determine if sufficient grounds exist to warrant the suspension or revocation of the certificate.

c. The Due Process or Appeals Committee shall make a recommendation to the full board regarding whether the teacher's certificate shall be revoked. The decision of the board shall be promptly transmitted to the teacher affected.

d. A teacher whose certificate has been revoked under the provisions of this Part may apply for reinstatement only after three years, or later, from the effective date of the revocation of his or her certificate. The Due Process Committee of the board may conduct a hearing to determine if the former teacher has rehabilitated himself or herself sufficiently to warrant reinstatement of the teaching certificate.

2. Fraudulent Documentation Pertaining to Certification

a. A Louisiana teaching certificate may be denied, suspended or revoked if a teacher presents fraudulent documentation pertaining to his/her certificate to the Board of Elementary and Secondary Education or the Department of Education.

b. Upon receiving notice that a teacher has submitted fraudulent documentation pertaining to his/her teaching certificate the Department of Education shall investigate the matter. Upon confirmation of the information investigated, the Department of Education shall notify the teacher, by certified mail, that a recommendation is being made to the state board to deny, suspend, or revoke his/her certificate.

c. The Due Process or Appeals Committee shall make a recommendation to the full board, based upon information received from the Department of Education, whether the teaching certificate should be denied, suspended, or revoked. The decision of the board shall be transmitted to the local school board and to the teacher affected.

d. An individual whose teacher certificate is denied, suspended, or revoked under the provisions of the policy will be notified of the right to appeal, within 30 days of receipt of the notice of denial, suspension, or revocation to the Board of Elementary and Secondary Education. The decision of the board to deny, suspend, or revoke a teaching certificate shall remain in effect pending all appeals.

e. A teacher whose certificate has been revoked under the provisions of this Part may apply for reinstatement three years or later after the effective date of the revocation of his or her certificate. The Due Process Committee of the board may conduct a hearing to determine if the former teacher has rehabilitated himself sufficiently to warrant reinstatement of the teaching certificate.

E. Revocation, Suspension, Denial and Reinstatement of Certificates/Permits for Criminal Offenses

1. A Louisiana teaching certificate may be revoked, suspended or denied if the individual holding the certificate has been convicted of any felony offense whatsoever or of a misdemeanor offense that involves any of the following:

a. sexual or physical abuse of a minor child or other illegal conduct with a minor child; or

b. the possession, use or distribution of any illegal drug as defined by Louisiana or federal law.

EDUCATION

2. For purposes of this policy, the term "teaching certificate" encompasses any form of teacher certificate or permit. "Teacher" shall encompass any person holding a teaching certificate or permit. "Felony" shall mean any state or federal crime, the conviction for which carries the potential for a sentence of death or imprisonment at hard labor. "Conviction" or "convicted" includes criminal proceedings in which the accused pleads guilty or no contest as well as those proceedings that are tried and result in a judgment of guilty. A conviction that results in a suspended sentence pursuant to Louisiana Code of Criminal Procedure, Articles 893 or 894, shall nonetheless be treated as a conviction for purposes of revocation, suspension and denial.

3. Upon receiving notice that a teacher has been convicted of a felony offense or a misdemeanor offense of the type described above, the Department of Education shall immediately attempt to contact the teacher to let him or her know that the department has information of the criminal conviction and that the department is proceeding under the policy set forth herein to consider revocation, suspension, or denial of the certificate. The teacher shall be given a chance to rebut the charge that he or she has been convicted of a criminal offense within 10 days of notification. This initial opportunity for the teacher to be heard is intended as a preliminary check against mistaken identity or incorrect information and may be conducted in an informal manner such as through a phone conversation or through correspondence. If, after hearing from the teacher and seeking any corroborative information that might be appropriate, the department determines that there are reasonable grounds to believe that the teacher has been convicted of a felony or misdemeanor of the type described above, then the department shall suspend the teacher's certificate pending review and further action by the board. The board and the teacher shall be promptly notified that the teacher's certificate has been suspended pending board action. If the teacher cannot be reached by the department, or if the teacher does not respond to the department's attempt at contacting him or her, the department shall order the certificate suspended pending action by the board and shall so notify the teacher and the board.

4. Upon order of the board, the teacher shall be notified of a date, time and place of hearing to consider whether the certificate should be revoked, suspended, or denied. The notice shall be sent by certified mail; and it shall inform the teacher of the purpose of the hearing, describe the conviction which prompted the hearing, and apprise the teacher that the hearing will be his or her opportunity to present evidence through witnesses and exhibits to rebut the charge that the teacher has been convicted of a felony or of a misdemeanor of the type described above.

5. The board committee assigned to hear the matter shall make a recommendation to the full board regarding whether the teacher's certificate should be revoked, suspended or denied. The board shall then issue an order which shall be promptly transmitted to the individual

affected. When the board orders revocation, suspension, or denial of a certificate, the Department of Education shall provide notice of such action to the LEAs in the state of Louisiana. The department shall also notify the superintendent of the employee's school district of any violations of regulations, laws or standards occasioned by the continued employment and payment of an individual whose certificate has been suspended, revoked, or denied. The department shall make recommendations to the board for sanctions against the local school system pursuant to appropriate state statutes.

6. A teacher whose certificate has been revoked, suspended, or denied under the provisions of this Part may apply for reinstatement only after three years or more have passed from the effective date of the last action taken by the board to revoke, suspend or deny the certificate. Documentation must be submitted by the teacher to show evidence of rehabilitation. However, the board may by order suspending a certificate for a period of time provide that the certificate becomes reinstated at the end of the term of suspension. Furthermore, if the conviction upon which a teacher's certificate has been revoked or suspended, is reversed, the teacher may apply to the board for reinstatement. To be eligible to be considered for reinstatement, the applicant shall provide evidence that his record has been expunged, if applicable. The board may order a hearing to determine if the former teacher has rehabilitated himself sufficiently to warrant reinstatement of the teaching certificate.

NOTE: The Administrative Procedure Act [R.S. 49:950 et seq.] shall be applied where applicable.

F. Fee Schedule for Certificates. The following fee schedule for teacher certification documents becomes effective January 1, 1990. All certification fees are nonrefundable. Fees are valid for one year pending completion of a transaction or a request. Certified checks or money orders are to be made payable to the Department of Education.

1. Initial Certification Application Fee
 - a. Teaching CertificatesC\$55
 - i. Type C Certificate
 - ii. Temporary Certificate (initial certificate only)
 - iii. Emergency Permit
 - iv. Temporary Employment Permit
 - b. Ancillary CertificateC\$50
 - c. VTIE
 - i. Full-time, day: postsecondary and secondaryC\$50
 - ii. Extension postsecondary and secondaryC\$25
 - iii. Duplicate certificatesC\$15
 - iv. Additional transactionsC\$25
 - v. Five-year renewalsC\$25

Title 28, Part I

NOTE: There will be no certification fee for extension personnel who are certified by the Department of Health and Hospitals to teach the EMT Programs.

NOTE: There will be no certification fee for the specialized business/ industry training program personnel.

2. Additional Certification Endorsement/ TransactionsC\$25

- a. Additional Endorsement to Certificate
- b. Higher Certificate
- c. Name Change
- d. Adding Degree
- e. Extension
- f. Written Evaluations (limit two)

3. Appeal EvaluationC\$25

4. Duplicate CertificateC\$15

5. Copies of Material in FolderC\$ 5

- a. LettersCper letter
- b. TranscriptsCeach university
- c. NTE Scores

6. Bulletin 746, Louisiana Standards for State Certification of School Personnel

a. Part ACTeachers, Administrators, and Ancillary PersonnelC\$12

b. Part BC Vocational-Technical PersonnelC\$ 5

G Alternate Post-Baccalaureate Certification Program

1. Lower Elementary Education

a. The State Alternate Post-Baccalaureate Certification Program provides opportunities for individuals with noneducation degrees to become certified public school teachers. Candidates for admission must have an earned baccalaureate degree from a regionally accredited institution with an overall grade point average of 2.5 (4.0 scale).

b. Individuals seeking certification under this program must submit an official transcript for evaluation to a Louisiana college or university with an approved teacher education program. Alternative certification programs may be offered by a college or university only in those certification areas in which that institution has an approved teacher education program.

c. Certification requirements are as follows:

i. General Education. The general education component of the candidate's baccalaureate degree must meet the state minimum requirements as specified in Bulletin 746, Louisiana Standards for State Certification of School Personnel.

ii. Specialized Academic Education. The specialized academic education component of Bulletin 746,

Louisiana Standards for State Certification of School Personnel, must be satisfied. A baccalaureate degree from a regionally accredited institution will satisfy nine hours of the specialized academic education requirements of Bulletin 746.

iii. Professional Education. Twenty-four semester hours of coursework in pedagogy (professional education) appropriate to the level of certification as prescribed by the school/department/college of education. The professional education component should include courses in theories of teaching and learning, student achievement and evaluation, human growth and development, methods of instruction, reading diagnosis and remediation, and exceptionalities of children or at-risk children.

iv. Student Teaching. Candidates for certification must complete one of the following requirements:

(a). student teaching; or

(b). one-year internship in the area(s) of certification with supervision provided by faculty in the College of Education.

v. NTE. The applicant must have attained a score on the NTE (National Teacher Examination) that meets state requirements for certification.

NOTE: No final grade below a "C" will be accepted for student teaching or any professional or specialized academic education course which is required for certification. In addition, no final grade below a "C" will be accepted for any other course specified as a deficiency under this plan.

d. The Department of Education, Bureau of Higher Education and Teacher Certification has the authority to waive the student teaching upon verification of three years of successful teaching experience in the area of certification.

2. Upper Elementary Education

a. The State Alternate Post-Baccalaureate Certification Program provides opportunities for individuals with noneducation degrees to become certified public school teachers. Candidates for admission must have an earned baccalaureate degree from a regionally accredited institution with an overall grade point average of 2.5 (4.0 scale).

b. Individuals seeking certification under this program must submit an official transcript for evaluation to a Louisiana college or university with an approved teacher education program. Alternative certification programs may be offered by a college or university only in those certification areas in which that institution has an approved teacher education program.

c. Certification requirements are as follows.

i. General Education. The general education component of the candidate's baccalaureate degree must meet the state minimum requirements as specified in Bulletin 746, Louisiana Standards for State Certification of School Personnel.

EDUCATION

ii. Specialized Academic Education. The specialized academic education component of Bulletin 746, Louisiana Standards for State Certification of School Personnel, must be satisfied. A baccalaureate degree from a regionally accredited institution will satisfy six hours of the specialized academic education requirements of Bulletin 746.

iii. Professional Education. Twenty-one semester hours of coursework in pedagogy (professional education) appropriate to the level of certification as prescribed by the school/department/college of education. The professional education component should include courses in theories of teaching and learning, student achievement and evaluation, human growth and development, methods of instruction, and reading diagnosis and remediation.

iv. Student Teaching. Candidates for certification must complete one of the following requirements:

(a). student teaching; or

(b). one-year internship in the area(s) of certification with supervision provided by faculty in the College of Education.

v. NTE. The applicant must have attained a score on the NTE (National Teacher Examination) that meets state requirements for certification.

NOTE: No final grade below a "C" will be accepted for student teaching or any professional or specialized academic education course which is required for certification. In addition, no final grade below a "C" will be accepted for any other course specified as a deficiency under this plan.

d. The Department of Education, Bureau of Higher Education and Teacher Certification has the authority to waive the student teaching upon verification of three years of successful teaching experience in the area of certification.

3. Secondary

a. The State Alternate Post-Baccalaureate Certification Program provides opportunities for individuals with noneducation degrees to become certified public school teachers. Candidates for admission must have an earned baccalaureate degree from a regionally accredited institution with an overall grade point average of 2.5 (4.0 scale).

b. Individuals seeking certification under this program must submit an official transcript for evaluation to a Louisiana college or university with an approved teacher education program. Alternative certification programs may be offered by a college or university only in those certification areas in which that institution has an approved teacher education program.

c. Certification requirements are as follows.

i. General Education. A baccalaureate degree from a regionally accredited institution will fulfill the general education requirements.

ii. Specialized Academic Education. The candidate must have a degree (major) in the area of

certification or meet the state minimum requirements as specified in Bulletin 746, Louisiana Standards for State Certification of School Personnel.

iii. Professional Education. Eighteen semester hours of coursework in pedagogy (professional education) appropriate to the level of certification as prescribed by the school/department/college of education. The professional education component should include courses in theories of teaching and learning, student achievement and evaluation, human growth and development, and methods of instruction.

iv. Student Teaching. Candidates for certification must complete one of the following requirements:

(a). student teaching; or

(b). one-year internship in the area(s) of certification with supervision provided by faculty in the College of Education.

v. NTE. The applicant must have attained a score on the NTE (National Teacher Examination) that meets state requirements for certification.

NOTE: No final grade below a "C" will be accepted for student teaching or any professional or specialized academic education course which is required for certification. In addition, no final grade below a "C" will be accepted for any other course specified as a deficiency under this plan.

d. The Department of Education, Bureau of Higher Education and Teacher Certification has the authority to waive the student teaching upon verification of three years of successful teaching experience in the area of certification.

4. Special Education

a. The State Alternate Post-Baccalaureate Certification Program provides opportunities for individuals with noneducation degrees to become certified public school teachers. Candidates for admission must have an earned baccalaureate degree from a regionally accredited institution with an overall grade point average of 2.5 (4.0 scale).

b. Individuals seeking certification under this program must submit an official transcript for evaluation to a Louisiana college or university with an approved teacher education program. Alternative certification programs may be offered by a college or university only in those certification areas in which that institution has an approved teacher education program.

c. Certification requirements are as follows.

i. General Education. A baccalaureate degree from a regionally accredited institution will fulfill the general education requirements.

ii. Specialized Academic Education. The candidate must have a degree (major) in the area of certification or meet the state minimum requirements as specified in Bulletin 746, Louisiana Standards for State Certification of School Personnel.

iii. Professional Education. Eighteen semester hours of coursework in pedagogy (professional education)

Title 28, Part I

appropriate to the level of certification as prescribed by the school/department/college of education. The professional education component should include courses in theories of teaching and learning, student achievement and evaluation, human growth and development, and methods of instruction.

iv. Student Teaching. Candidates for certification must complete one of the following requirements:

(a). student teaching; or

(b). one-year internship in the area(s) of certification with supervision provided by faculty in the College of Education.

v. NTE. The applicant must have attained a score on the NTE (National Teacher Examination) that meets state requirements for certification.

NOTE: No final grade below a "C" will be accepted for student teaching or any professional or specialized academic education course which is required for certification. In addition, no final grade below a "C" will be accepted for any other course specified as a deficiency under this plan.

d. The Department of Education, Bureau of Higher Education and Teacher Certification has the authority to waive the student teaching upon verification of three years of successful teaching experience in the area of certification.

H. Noncertified Personnel

1. Full-time/part-time noncertified school personnel, excluding speech, language, and hearing specialists, may be employed by parishes having difficulty in employing certified persons in certain positions, provided that the following documentation is submitted to the Department of Education:

a. a signed affidavit by the local superintendent that the position could not be filled by a certified teacher;

b. submission of names, educational background, subject matter and grade level being taught as an addendum to the Annual School Report; and

c. documentation kept on file in the LEA's superintendent's Personnel Office shall include:

i. copies of transcripts showing the degree earned;

ii. documentation that efforts for recruitment of certified teachers have been made (e.g. newspaper advertisements, letters, contacts with colleges, and so forth); and

iii. documentation that the teacher is eligible for admission to a teacher education program.

d. In addition:

i. it is required that these teachers take the NTE at the earliest date that it is offered in their geographical area;

ii. these individuals must have a minimum of a baccalaureate degree from a regionally accredited institution

and be eligible for admission to a teacher education program;

iii. to be re-employed under this policy, an individual must have earned at least six semester hours toward completion of a teacher education program or six semester hours appropriate to the area of the NTE (general knowledge, professional knowledge, communication skills, specialty area) in which the score was not achieved;

iv. effective with the 1992-93 school year, the total number of years a person may be employed according to the provisions of this policy, inclusive of experience prior to 1992-93, is five years;

v. these individuals shall be employed at a salary that is based on the effective state salary schedule for a beginning teacher with a baccalaureate degree and a certificate with zero years of experience. Local salary supplements are optional;

vi. copies of transcripts showing the six semester hours and a copy of the NTE score card showing the NTE has been taken since the last employment under this policy shall be kept on file in the LEA's superintendent's Personnel Office; and

vii. other re-employment conditions.

(a). To be eligible for re-employment under this policy, a teacher who has not met the requirement of earning six semester hours of college credit or who has not taken the NTE must meet one or more of the following conditions.

(i). Medical Excuse. When serious medical problems of the teacher or immediate family in the same household exist, a doctor's statement is required with a letter of assurance from the superintendent and teacher that the hours will be earned.

(ii). Required Courses not Available. A letter of verification from area universities is required stating that the required courses are not being offered.

(iii). Change of School, Parish or School System. A justification letter from the superintendent is required. Reissuance is permitted only if the change is not part of a continuous pattern.

(iv). Change of Certification Areas. A letter of justification from the superintendent is required to explain the new job assignment with assurance that the requirements for continued employment under this policy will be met.

(v). Courses not Applicable Toward Certification. A letter of justification from the superintendent is required with assurance that the teacher will become enrolled in the proper program.

(b). These are the only conditions that may be used. Documentation which supports the above condition must be maintained in the teacher's personnel file.

(c). This interim emergency policy will remain in effect until July 1, 1999.

EDUCATION

I. Noncertified Personnel

1. Full-time/part-time noncertified school personnel, excluding speech, language, and hearing specialists, may be employed by local public education agencies experiencing extreme difficulty in employing certified teachers for the classroom, provided that the following documentation is submitted to the Department of Education:

a. a signed affidavit by the local superintendent that the position could not be filled by a certified teacher; and

b. submission of names, educational background, subject matter and grade level being taught as an addendum to the Annual School Report.

2. Individuals employed under this policy must:

a. hold a minimum of a baccalaureate degree from a regionally accredited institution;

b. take all appropriate areas of the PRAXIS/NTE at the earliest date that it is offered during the first year of employment and all appropriate areas at least once each year during subsequent years of employment; and

c. earn six semester hours of college course work each year as indicated below.

i. Teachers who have not completed a teacher education program must:

(a) within the first year of employment and prior to consideration for re-employment the second year, be officially admitted to a teacher education program; obtain a prescription or outline of course work required for certification; and achieve the required scores on the PRAXIS Pre-Professional Skills Tests in Reading, Writing, and Mathematics. The appropriate score(s) on the Communication Skills and/or General Knowledge portions of the NTE may be accepted only if the test(s) was taken prior to September 1999;

(b) prior to consideration for re-employment each year, complete at least six semester hours of college course work as prescribed by the college or university to complete a teacher education program.

ii. Teachers who have completed a teacher education program but who have not achieved the required scores on all parts of the PRAXIS/NTE, prior to consideration for re-employment each year, must earn six semester hours appropriate to the area of the PRAXIS/NTE (Pre-Professional Skills Tests in Reading, Writing, and Mathematics, the Principles of Learning and Teaching K-6 or 7-12, and the subject assessments/specialty area tests) in which the score was not achieved. Appropriate scores achieved on portions of the NTE which were formerly required may be used provided the score was achieved prior to the date the test(s) was discontinued for use in Louisiana. A university sponsored seminar, workshop or course specially designed for preparing for the PRAXIS/NTE may be used once to substitute for three semester hours of the

required course work. Documentation from the university must be provided to verify participation.

2. The following documentation, as appropriate, shall be kept on file in the LEA's Superintendent's/Personnel Office:

a. official transcripts showing a minimum of a baccalaureate degree from a regionally accredited institution;

b. documentation that the teacher has been officially admitted to a teacher education program, if applicable;

c. an outline by the college or university of the course work required for certification, or an outline of courses to help achieve the appropriate PRAXIS/NTE scores for persons who have completed a teacher education program;

d. official transcripts showing successful completion of the six semester hours as prescribed by the college or university since the last employment under this policy;

e. documentation to verify one-time participation in a university sponsored or state approved seminar/workshop/course for PRAXIS/NTE preparation for teachers who have completed a teacher education program;

f. an original PRAXIS/NTE score card showing the PRAXIS/NTE has been taken in all appropriate areas since the last employment under this policy; and

g. documentation that efforts for recruitment of certified teachers have been made (e.g. newspaper advertisements, letters, contacts with colleges, and so forth).

3. These individuals shall be employed at a salary that is based on the effective state salary schedule for a beginning teacher with a baccalaureate degree and a certificate with zero years of experience. Local salary supplements are optional.

4. The total number of years a person may be employed according to the provisions of this policy is five years.

NOTE: These are the only conditions that may be used. Documentation which supports the above condition must be maintained in the teacher's personnel file.

This interim emergency policy will remain in effect until July 1, 2000.

This policy does not apply to university laboratory schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:183 (April 1975), amended LR 1:311 (July 1975), LR 1:399 (September 1975), LR 1:435 (October 1975), LR 1:541 (December 1975), LR 2:36 (January 1976), LR 2:187 (June 1976), LR 2:242 (August 1976), LR 2:269 (September 1976), LR 2:350 (November 1976), LR 2:405 (December 1976), LR 3:13 (January 1977), LR 3:64 (February 1977), LR 3:436 (November 1977), LR 3:445

(November 1977), LR 4:2 (January 1978), LR 4:69 (March 1978), LR 4:224 (June 1978), LR 4:359 (October 1978), LR 4:360 (October 1978), LR 4:489 (December 1978), LR 5:23 (February 1979), LR 5:61 (March 1979), LR 5:140 (June 1979), LR 5:243 (August 1979), LR 5:275 (September 1979), LR 5:345 (November 1979), LR 5:346 (November 1979), LR 6:19 (January 1980), LR 6:53 (February 1980), LR 6:109 (March 1980), LR 6:144 (April 1980), LR 6:305 (July 1980), LR 6:585 (October 1980), LR 6:702 (December 1980), LR 7:6 (January 1981), LR 7:43 (February 1981), LR 7:44 (February 1981), LR 7:65 (March 1981), LR 7:263 (May 1981), LR 7:407 (August 1981), LR 7:436 (September 1981), LR 8:142 (March 1982), LR 8:464 (September 1982), LR 8:509 (October 1982), LR 8:591 (November 1982), LR 9:8 (January 1983), LR 9:60 (February 1983), LR 9:411 (June 1983), LR 9:530 (August 1983), LR 9:607 (September 1983), LR 9:755 (November 1983), LR 9:836 (December 1983), LR 10:7 (January 1984), LR 10:76 (February 1984), LR 10:280 (April 1984), LR 10:400 (May 1984), LR 10:453 (June 1984), LR 10:494 (July 1984), LR 10:495 (July 1984), LR 10:661 (September 1984), LR 10:875 (November 1984), LR 10:998 (December 1984), LR 11:7 (January 1985), LR 11:101 (February 1985), LR 11:341 (April 1985), LR 11:618 (June 1985), LR 11:685 (July 1985), LR 11:759 (August 1985), LR 11:1065 (November 1985), LR 11:1066 (November 1985), LR 11:1137 (December 1985), LR 12:91 (February 1986), LR 12:598 (September 1986), LR 12:667 (October 1986), LR 12:763 (November 1986), LR 13:495 (September 1987), LR 13:651 (November 1987), LR 14:609 (September 1988), LR 14:610 (September 1988), LR 14:789 (November 1988), LR 14:861 (December 1988), LR 15:9 (January 1989), LR 15:376 (May 1989), LR 15:621 (August 1989), LR 15:819 (October 1989), LR 16:297 (April 1990), LR 16:850 (October 1990), LR 16:1056 (December 1990), LR 17:35 (January 1991), LR 17:1204 (December 1991), LR 18:1117 (October 1992), LR 18:1250 (November 1992), LR 19:614 (May 1993), LR 20:162 (February 1994), LR 20:283 (March 1994), LR 20:285 (March 1994), repromulgated LR 20:536 (May 1994), LR 21:934 (September 1995), LR 23:1137 (September 1997), LR 24:2078 (November 1998), LR 24:2079 (November 1998), LR 25:424 (March 1999), LR 25:422 (March 1999), LR 25:1090 (June 1999), LR 25:2167 (November 1999), LR 26:62 (January 2000), LR 26:459 (March 2000), LR 26:638 (April 2000), LR 27:281 (March 2001), LR 27:282 (March 2001), LR 27:820 (June 2001), LR 27:821 (June 2001), LR 27:825 (June 2001), LR 27:827 (June 2001), LR 27:828 (June 2001), LR 27:1189 (August 2001), LR 27:1190 (August 2001), LR 27:1516 (September 2001).

§904. Charter Schools

A. Bulletin 904, Guidelines for Submission of a Charter School Proposal, is adopted. This bulletin contains regulations and guidelines pertaining to the submission of Type 2 and Type 4 charter school proposals. It includes guidelines for describing the educational program and financial component of the proposed charter school. Also included are eligibility criteria, application requirements, and the application review and approval process. These guidelines comply with Louisiana's revised Charter Schools Demonstration Program Law, Act 477 of 1997, which is included in the guidelines.

B. Charter School Start-Up Loan Program. Act 477 of the 1997 Legislative Session allows for the operation of up to 20 charter schools statewide in 1998-99 and increases that number to 42 in subsequent years. It also created the Louisiana Charter School Start-Up Loan Fund within the State Treasury for the purpose of providing a source for

funding no-interest loans to charter schools. As amended by Act 757 of the 1999 Legislative Session, the loan funds are to be made available to assist both existing and new Type 1, Type 2 or Type 3 Charter Schools with initial start-up funding and for funding the administrative and legal costs associated with the charter school program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3971-3973, 3981-3983, 3991-3993, 3995-3999, and 4001, and R.S. 39:75(C)(1)(b).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 24:1683 (September 1998), LR 25:249 (February 1999), LR 26:459 (March 2000).

§905. Teacher Education Institutions and Regulations

A. Bulletin 996. Bulletin 996, Louisiana Standards for Accrediting Baccalaureate Degree Teacher Education Institutions, is adopted, as revised.

1. This bulletin contains standards applicable to teacher education programs offered by both public and private institutions of higher education. The standards are applied by visiting committees which conduct on-site visitations to determine whether approval should be recommended to the board which, in turn, is responsible for granting final approval. This process occurs on a cyclical basis. The approval standards relate to general institutional support of the teacher education program, to faculty, students, and curricular requirements; and to the administration and financial support of programs. The bulletin contains process guidelines and forms to be used by visiting committees in the evaluation process.

2. If within a 2-year period, an institution of higher education has undergone a successful NCATE visit and has also completed Bulletin 996 in preparation for a state approval visit, the Department of Education may recommend approval of the teacher education program at the institution if the department can assure the Board of Elementary and Secondary Education that the standards of Bulletin 996 have been met.

B. Teacher Training Principles

1. Except insofar as university administration is concerned, which is the prerogative of private and state governing authorities, the following principles should govern the training of teachers.

a. The necessity for the certification of teachers is affirmed and all teachers should have the best possible preparation in content areas and in teaching skills and techniques.

b. The determination of the appropriate units for the administration of curricula and students is the responsibility of each university and its governing board.

2. It is recommended that each institution of higher education that is preparing secondary teachers implement the following policy:

a. Any regularly enrolled student, in any college or department of a university who wishes to become a certified

EDUCATION

secondary teacher may do so provided the student meets the following conditions:

i. has met the criteria established for admission to the teacher education program; and

ii. has completed the academic and professional requirements, while enrolled in any college or department, as provided for in an approved teacher education curriculum that has been jointly developed by specialists from the appropriate academic departments and teacher educators of the institution.

b. There shall be joint advising of all students by the subject matter departments and the professional education area.

c. A strong teacher education council should exist on each campus. Its function should be defined jointly by the deans of arts, sciences, humanities and education, and other groups involved in teacher education.

d. Continued emphasis on general education requirements for certification is endorsed by the board.

e. Subject matter and pre-professional competencies of students are essential for successful student teaching. Subject matter competence shall be endorsed by the head of the department of the student's major academic area of specialization and/or the dean or division chairman of the appropriate academic administrative unit. Pre-professional competence shall be endorsed by the head of the department of education, or the head of the unit which administers the approved teacher education curriculum, or the dean of education.

f. The recommendation for certification of the student shall be made subsequent to student teaching by the dean of education or of the head of the unit which administers the approved teacher education curriculum. Verification of subject matter competence in the teaching area(s) shall be attached to all teacher certification applications by the dean or head of the unit which contains the area(s) of specialization.

g. A Teacher Certification Advisory Council may be established by the board to include board representation from the Council of Deans of Colleges of Arts, Sciences, and Humanities and Deans of Colleges of Education and subject matter specialists from institutions of higher education in addition to representation of other professional and lay groups. When established, all proposals for changes in teacher certification requirements may be referred to the council for recommendation to the Board of Elementary and Secondary Education.

C. Crime and Disruptive Behavior Module

1. A crime and disruptive behavior module is effective for students entering teacher education programs. The anticipated objectives of the module are that prospective teachers will:

a. be presented with practical skills that can be used in the school to ensure the establishment of a learning environment. Skills taught will be those that can be taken to the classroom and used effectively;

b. be taught a minimum of two alternative methods for dealing with classroom disruptions;

c. be taught how to successfully encourage parental involvement in building responsible behavior in students;

d. be given information dealing with common causes of school misbehavior;

e. learn how to enlist the community in the cause of good student discipline;

f. be given guidelines to follow when formulating or evaluating classroom/school rules and regulations;

g. be given information and guidelines on the selection and implementation of alternatives to suspension;

h. learn the key role the principal plays in maintaining good discipline at his/her school; and

i. prospective teachers will learn the ways to involve all students in school programs.

D. New Degree Programs

1. All teacher education programs existing in the state as of May, 1978, which have achieved approval by their institution's management board and the Board of Regents and which meet certification requirements of the Board of Elementary and Secondary Education will be maintained subject to the Board of Regents' ongoing academic program review. All new programs of study and new degree programs in teacher education shall be recommended for approval by the Department of Education to the Board of Elementary and Secondary Education only after prior approval of the program by the institution's management board and the Board of Regents.

2. An institution desiring to initiate a program in teacher education may, if it so desires, consult with the Department of Education at any time for review and advice on the acceptability of the program for certification purposes. As adopted by the Board of Regents, this policy applies to public institutions of higher education.

E. Out-of-State Institutions

1. Courses offered in Louisiana by out-of-state institutions shall be recognized for purposes of teacher certification and salary increments only if the following conditions are met.

a. The out-of-state institution must be registered with the secretary of state as a bona fide business operating in the state of Louisiana for the purpose of offering teacher education courses or programs and with the Board of Regents as required by Act 225 of 1976.

b. Any institution offering a course in Louisiana must have state approval and regional accreditation recognized by the state in which the institution is domiciled for each program from which a course is offered.

c. Course level offerings in the state of Louisiana must bear accreditation at the same level of offering in the state of domicile.

d. Post-baccalaureate courses offered in Louisiana must be applicable to the same advanced degree program at the home campus of the out-of-state institution and must carry comparable graduate credit at the home campus.

2. Responsibility for written verification of compliance with the above conditions lies with the applying institution prior to the first class meeting of each course.

F. Training Programs in School Psychology. Standards for the approval of training programs in school psychology, mandatory as of September 1, 1981, are as follows.

1. The program of preparation for the Standard Certificate in School Psychology shall consist of at least a 60-semester hour organized, sequential course of study in school psychology in a regionally accredited institution including the masters or higher degree plus the required supervised internship in school psychology. The program shall provide training in each knowledge or skill area within each foundation group listed below.

2. Psychological Foundations shall include:

a. knowledge of those factors which determine human development and knowledge of the normal progress of such development from infancy through adolescence;

b. knowledge of theoretical systems of learning, emotion, and motivation;

c. knowledge of the biological basis of behavior;

d. knowledge of individual differences and a typical development and behavior in cognitive, sensory, emotional, and motor areas;

e. knowledge of the impact of social systems and cultural background on behavior and learning; and

f. knowledge of theoretical foundations and applications of statistical, measurement, and research techniques.

3. Educational Foundations shall include:

a. knowledge of the administration and organization of the school system;

b. knowledge of the social, philosophical, legal, and cultural issues in education;

c. knowledge of current theories regarding the acquisition of reading skills which include familiarity with current techniques for the teaching of reading; and

d. knowledge of the etiology and instruction/treatment of exceptional children.

4. Psychoeducational Foundations shall include:

a. skill in behavioral assessment techniques, including systematic behavioral observation;

b. skill in the administration, scoring, and interpretation of psychometric instruments designed for the assessment of children's social, psychomotor, emotional, and cognitive functioning;

c. skill in the administration, scoring and interpretation of norm referenced, criterion referenced and informal instruments designed for assessing academic achievement, performance and mastery, which are used to diagnose specified educational deficiencies;

d. skill in the integration of assessment information into a clear, descriptive report of services which includes the identification of strengths and weaknesses and the development of specific recommendations and intervention plans based on the assessment data; and

e. skill in the application of theories of learning educational methods and techniques.

5. Intervention Foundations shall include:

a. skill in providing short-term consultation to teachers and other school personnel for emerging or short-term problems before these problems become serious;

b. skill as a psychological consultant in a variety of situations within the school system and the ability to bring knowledge of the principles and techniques of psychology to bear upon educational problems;

c. skill in assisting parents and school staff in applying the recommendations and intervention plans that are developed for individual children by using accepted professional standards and principles of professional consultation;

d. skill in providing short-term counseling/behavior therapy to children experiencing specific school related problems; and

e. skill in behavior management techniques.

6. A professional school of psychology shall include:

a. an understanding of professional standards and ethics in school psychology;

b. an understanding of the profession of psychology as it relates to education;

c. knowledge of federal and state rules, regulations and statutes and specific court cases that have bearing on the practice of school psychology; and

d. an understanding of pupil appraisal services and student services, including the involvement and interaction of the various disciplines represented.

7. Practicum experiences shall include experiences which:

EDUCATION

- a. are distinct from the internship;
- b. occur at times appropriate for the specific training objectives of the program;
- c. are of a sufficient length of time to be appropriate to the specific training objectives of the program, including settings, tasks, and clients; and
- d. occur under conditions of supervision appropriate to the specific training objectives of the program.

8. The internship (maximum of 12 semester hours) shall:

- a. be for a period of at least one school year (minimum of 1,225 hours) or the equivalent, at least one half of which shall occur in a public school setting;

- b. be supervised jointly by the training institution and/or a supervisor designated by the Department of Education in cooperation with the internship site field supervisor; and

- c. consist of experiences which occur at times appropriate to the specific training objectives of the program; which are of a sufficient length of time to be appropriate to the specific training objectives of the program; which occur under conditions appropriate to the specific training objectives of the program, including settings, tasks, and clients; which occur under conditions of supervision appropriate to the specific training objectives of the program, and which shall include experience in the following broad areas.

- i. Developing and Analyzing Data Relevant to an Individual Student's Problems. Skills required might apply to school records, teacher records, classroom observation, student interview, parent interview, student history, family history, and psychoeducational assessment through group and individual assessment techniques.

- ii. Developing Appropriate Intervention Strategies. Such strategies might include classroom consultation, behavior modification, individual and group approaches, work with parents, and referral to community resources.

- iii. Developing and Analyzing Data Relevant to Group-Based Problems. Such problems might include those of a given classroom, grade level, school, or school system. The relevant skills might include those of §905.F.8.c.i, plus large-scale data gathering techniques and their analyses.

- iv. Applying the knowledge and skills of psychology to the resolution of such problems and being willing to accept responsibility in an ethical manner.

G Guidelines for the Supervision of School Psychologists

1. Supervision of School Psychologists

- a. Entry level school psychologists shall require professional supervision for a minimum of three years, one of which can be the approved internship as defined in the Standards for Training in School Psychology.

- b. Supervision of persons with Provisional Certificates shall consist of a minimum of one hour per week of on-site, one-to-one contact by the supervising school psychologist.

- c. Supervision for the first year after receiving the Standard Certificate (Level A and B) shall consist of a minimum of one hour per week, or two consecutive hours once every two weeks of on-site contact by the supervising school psychologist. The supervising school psychologist may, with the consent of the employing agency, provide this supervision in an individual or group setting. In all cases, however, the supervisee shall have access to individual consultation with his/her supervisor.

- d. The final year of supervision shall consist of a minimum of one hour every two weeks, or two consecutive hours once every month. The supervising school psychologist may, with the consent of the employing agency, provide this supervision in an individual or a group setting. In all cases, however, the supervisee shall have access to individual consultation with his/her supervisor.

- e. Persons certified under previously adopted criteria as a School Psychological Assistant I, II, or III (Level E, D or C) shall be supervised by a qualified school psychologist until they have been certified as Level A or Level B under current certification requirements and have had at least three years of experience as a school psychologist. Supervision shall consist of at least one hour, one-to-one contact per week for the first three years, and at least one hour per week or two consecutive hours once every two weeks for those with more than three years of experience. For those with five or more years of experience, and with the approval of the state supervisor of School Psychological Services, supervision may occur one hour every two weeks or two consecutive hours once a month. Persons initially certified under previously adopted criteria, upon being certified require a minimum of one year of supervision as specified in §905.G.1.d.

- f. Persons who have completed academic preparation in school psychology in another state who qualify for a Standard Certificate (Level A or B) and who have less than two years of supervised experience as a school psychologist, shall require a minimum of three years of supervision according to §905.G.1.c and d. Persons with two or more years of supervised experience as a school psychologist in another state shall require a minimum of one year of supervision in Louisiana according to §905.G.1.d above.

- g. Under no circumstances shall a person receive less than three years of supervision as a school psychologist. Any person who is licensed to practice psychology in Louisiana, is certified as a school psychologist, and has at least three years of experience as a school psychologist, at least one of which has been in Louisiana as of July 1, 1987, may work as a school psychologist without supervision and may supervise school psychologists, according to these guidelines.

h. In all instances a mechanism shall be established for supervised school psychologists to have access to their supervisor (or another qualified school psychologist) for emergency consultation.

2. Qualified Supervisor

a. A person may provide professional supervision to an entry level school psychologist if he/she is certified as a school psychologist under current certification requirements (Level A or B), and has had at least three years of supervised experience as a school psychologist, at least two of which have been in Louisiana.

b. Each school system shall submit to the state supervisor of School Psychological Services, by September 15 of each year, a plan of supervision for school psychologists which includes a list of those requiring supervision, the individual plans of supervision §905.G.1.b, c or d and the school psychologist providing the supervision. Any modification of the plan during the school year shall be submitted to the state supervisor of School Psychological Services within 10 operational days following the modification. Documentation of completion of plans shall be submitted to the state supervisor of School Psychological Services no later than July 15 of each year.

c. Supervisors are encouraged to provide materials, to model appropriate techniques, and to otherwise dynamically interact with supervisees in order to make the supervision experience both productive and meaningful to the professional growth of the supervisee. In addition, peer interaction and consultation between those no longer requiring direct professional supervision is strongly recommended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (11); R.S. 17:7 (6); R.S. 17:7.2; R.S. 17:13.1; R.S. 17:1808.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:270 (June 1977), amended LR 4:209 (May 1978), LR 6:174 (May 1980), LR 7:264 (May 1981), LR 7:334 (June 1981), LR 9:60 (February 1983), LR 10:661 (September 1984), LR 12:155 (March 1986), LR 13:160 (March 1987), LR 16:297 (April 1990).

§906. Early Childhood Programs

A. Bulletin 1920, Regulations for Model Early Childhood Programs is adopted.

1. These regulations address the seven broad areas repeatedly identified in research studies as critical in the provision of quality early childhood programs. The state parameters are consistent with state and national research findings and with guidelines and standards recommended by the National Association for the Education of Young Children, the Southern Association of Children Under Six, and the Southern Association of Colleges and Schools.

2. These regulations apply to all state-funded programs for high-risk 4-year olds, including those "8g" programs that reference the existing programs. Adherence to these regulations is critical in order to assure that appropriate programs are provided for young children.

B. Bulletin 1934, Starting Points Preschool Regulations is adopted, revised June 1998.

C. Bulletin 1938

1. Bulletin 1938, Regulations for the Louisiana Church-Based Tutorial Programs is adopted.

2. The tutoring programs provide an alternative educational approach for students who lack proficiency in math, reading, and writing; who evidence a high rate of absenteeism; who exhibit personality and adjustment problems, and who are at risk of dropping out of school. This project will provide individual instruction guided by a diagnostic approach in addressing each student's deficiencies. Major components of the project include, counseling, parental involvement, value and conflict resolution skill development, computer assisted instruction, scholarships, healthcare, and substance abuse training. This program is designed for grades K-8 with formalized instruction in basic skills.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 18:1249 (November 1992), amended LR 19:1549 (December 1993), LR 20:416 (April 1994), LR 21:1220 (November 1995), LR 24:295 (February 1998), LR 25:254 (February 1999).

§907. Pupil Progression and Remedial Education

A. Bulletin 1566

1. Bulletin 1566 (Revised 1998), Guidelines for Pupil Progression, which includes regulations for the implementation of state-funded education remedial programs, is adopted.

2. This bulletin contains statewide regulations for student placement and pupil progression to be administered at the local school level, including the promotion, retention, remediation, acceleration, and transfer of regular and exceptional students. Local option factors for student placement and promotion, are authorized and delineated. The bulletin contains procedures for developing local pupil progression plans in compliance with state law and board policies. Further, it contains regulations for the implementation of state funded remedial education programs for students who have educational deficits identified by the state testing program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 7:24.4 and R.S. 17:394-400.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 6:144, 539, 651 (April, September, November 1980); LR 8:216, 323, 510 (June, July, October 1982); LR 11:685 (July 1985); LR 12:420 (July 1986); LR 15:622 (August 1989); amended LR 16:297 (April 1990); amended LR 16:766 (September 1990); LR 19:1417 (November 1993); amended LR 24:2081 (November 1998).

§909. Special Education Regulations

A. Bulletin 1508

1. Bulletin 1508, Pupil Appraisal Handbook, is adopted, as revised.

2. Bulletin 1508 is a guide for the conduct of pupil appraisal services. It includes procedures, standards, and criteria for identifying children eligible for special education and/or related services. In addition, a general description of pupil appraisal services encompasses personnel, responsibilities, rights of students and parents, and timelines to be observed. The bulletin contains a description of pupil appraisal services and requires the utilization of qualified examiners (pupil appraisal professionals) to conduct multi-disciplinary evaluations. Regulations are established for the conduct of various types of screening processes (educational, sensory, speech and language, and motor). Individual evaluations are defined, including independent individual evaluations, and objectives, procedures and responsibilities established for evaluations, coordination of evaluations, and procedures for re-evaluation. Regulations establish contents of evaluation reports and timelines for completion. For each area of exceptionality the bulletin contains a definition, criteria for eligibility, and procedures for screening and evaluation and, additional re-evaluation procedures when required.

B. Bulletin 1573

1. Bulletin 1573, Complaint Management Procedures (1993), is adopted as revised.

2. This bulletin contains procedures, rules, and regulations controlling public complaints about the delivery of special education services. Complaint criteria and complaint categories are defined and described; procedures for the filing, the investigation, and the resolution of complaints are given. Confidentiality, privacy rights, enforcement, and due process are assured. Intimidation and coercion are prohibited. Administrative tools such as forms and form letters are included.

C. Bulletin 1640

1. Bulletin 1640, Separate Minimum Standards for Mildly Handicapped Students, is adopted, as revised.

2. This bulletin contains the requirements mildly handicapped students must address if they are to receive a Certificate of Achievement, rather than a high school diploma. The requirements were developed to meet the mandates established by the Louisiana Competency Based Education Program for more mildly handicapped students who by reason of their handicapping condition(s) cannot pursue the regular Louisiana Grade-Level Standards.

3. The bulletin contains a sequential list of separate minimum standards in each of the basic subject areas of reading, writing, mathematics, and social living. The list is in a scope and sequence chart format. These charts span the learning gamut from the readiness level through the

secondary level with the prevocational and vocational preparation objectives included in each subject area.

4. The bulletin provides the procedural instructions necessary to document the use of the separate minimum standards within a student's Individualized Education Program (IEP).

5. The bulletin also provides the procedural instructions necessary for alternative curricula approval.

D. Bulletin 1705

1. Bulletin 1705, Separate Minimum Standards for Moderately, Severely, and Profoundly Handicapped Students, is adopted as revised.

2. This bulletin contains the requirements these handicapped students must address if they are to receive a Certificate of Achievement, rather than a high school diploma. The requirements were developed to meet the mandates established by the Louisiana Competency Based Educational Program for those moderately, severely, and profoundly handicapped students who by reason of their handicapping conditions cannot pursue the regular Louisiana Grade-Level Standards.

3. The bulletin is divided into eight areas of curricular skills believed necessary to provide an individualized educational approach, regardless of the type of handicapping condition(s) which may occur for those students who function at moderate, severe or profound performance level. The curricular areas are: motor, cognitive, communication, daily living, social, prevocational, vocational and leisure activities. The skill areas are further divided into sequential lists of performance objectives for each of the curricular areas.

4. The bulletin also provides the procedural instructions necessary to implement the standards.

E. Bulletin 1706

NOTE: Bulletin 1706 has been moved to Part XLIII of this Title in a separate volume. A copy of the bulletin may be obtained from the Office of the State Register or viewed at <http://www.doa.state.la.us/osr/osr.htm>.

F. Bulletin 1922

1. Bulletin 1922, Revised 1993, Compliance Monitoring Procedures is adopted.

2. The Department of Education (SDE) has the responsibility to ensure that each participating agency in the state is in compliance with all applicable federal and state laws, regulations and standards related to the provision of a free and appropriate public education for all exceptional children for whom each is legally responsible. To fulfill this responsibility, the SDE has established procedures which provide ongoing monitoring of policies and procedures, child identification and evaluation, program implementation, and fiscal requirements of participating agencies. These procedures also include a method for taking corrective actions, providing technical assistance and ensuring the provision of appropriate programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941-1958.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:337 (September 1978), amended LR 7:407 (August 1981), LR 7:484 (October 1981), LR 7:625 (December 1981), LR 8:63 (February 1982), LR 8:323 (July 1982), LR 9:130 (March 1983), LR 9:549 (August 1983), LR 9:835 (December 1983), LR 9:836 (December 1983), LR 10:7 (January 1984), LR 11:252 (March 1985), LR 12:763 (November 1986), LR 14:11 (January 1988), LR 14:609 (September 1988), LR 16:297 (April 1990), LR 18:1249 (November 1992), LR 19:1131 (September 1993), LR 24:283 (February 1998).

§911. School Library Standards

A. Bulletin 1134

1. Bulletin 1134, Standards and Guidelines for Library Media Programs in Louisiana Schools, is adopted, as revised.

2. This bulletin contains regulations and guidelines to be used by library media centers in public and nonpublic schools to assure standard library services to students. These apply to the library media staff, to the library collection, to the facilities, and to the service program and include guidelines for the selection of library media. The bulletin also includes a suggested procedure to be used in processing citizen complaints and censorship challenges.

AUTHORITY NOTE: Promulgated in accordance with 17:7 (5); R.S. 17:10.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:2 (January 1978), amended LR 4:360 (October 1978), LR 7:287 (June 1981), LR 16:297 (April 1990), LR 23:563 (May 1997).

§912. Accounting and Reporting Procedures

A. Bulletin 1929

1. Bulletin 1929, Revised Louisiana Accounting and Governmental Handbook for Local School Boards, revised 1996 is adopted.

2. The primary purpose of the Louisiana Accounting and Uniform Governmental Handbook for Local School Boards is to serve as a vehicle for program cost accounting at the local and state levels. This handbook attempts to produce comprehensive and compatible sets of standardized terminology for use in education management for financial reporting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and 17:92.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 20:1097 (October 1994), amended LR 23:951 (August 1997).

§913. School Food Service Standards and Regulations

A. Bulletin 1196

NOTE: Bulletin 1196 has been moved to Part XLIX of this Title in a separate volume. A copy of the bulletin may be obtained from the Office of the State Register or viewed at <http://www.doa.state.la.us/osr/osr.htm>.

§915. Bus Transportation Standards and Regulations

A. Bulletin 1191

NOTE: Bulletin 1191 has been moved to Part XXVII of this Title in a separate volume. A copy of the bulletin may be obtained from the Office of the State Register or viewed at <http://www.doa.state.la.us/osr/osr.htm>.

B. Bulletin 1213

NOTE: Bulletin 1213 has been moved to Part XXV of this Title in a separate volume. A copy of the bulletin may be obtained from the Office of the State Register or viewed at <http://www.doa.state.la.us/osr/osr.htm>.

C. Bulletin 1475, The Louisiana School Bus Driver Operational and Vehicle Maintenance Procedures, revised 1994. The purpose of this bulletin is to provide information which will assist school bus drivers in the performance of their duties. Role descriptions are given for local supervisors of bus transportation and of school bus drivers. Safety facts and accident report forms are included as are procedures for loading and unloading of buses and procedures to be followed at intersections, left and right turns, speed limits, interstate driving, and railroad grade crossings. Guidelines and recommendations are made on how to maintain student discipline, on principles of first aid, and on vehicle maintenance. A pre-trip inspection checklist is included for the use of drivers.

D. Bus Routes Less than One Mile. If a parish superintendent or school board feels that in the interest of safety it is advisable to pick up children living less than one mile from school, the local board shall apply to the Department of Education for a survey, and the Department of Education shall make a recommendation to the board on the feasibility of the additional buses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:158; R.S. 160-161; R.S. 17:164-166.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:187 (June 1976), amended LR 5:168 (July 1979), LR 5:243 (August 1979), LR 6:488 (August 1980), LR 7:6 (January 1981), LR 7:436 (September 1981), LR 8:406 (August 1982), LR 9:130 (March 1983), LR 11:252 (March 1985), LR 12:599 (September 1986), LR 12:667 (October 1986), LR 13:291 (May 1987), LR 14:10 (January 1988), LR 14:348 (June 1988), LR 14:789 (November 1988), LR 15:468 (June 1989), LR 15:469 (June 1989), LR 15:544 (July 1989), LR 15:962 (November 1989), LR 16:297 (April 1990), LR 19:890 (July 1993), LR 20:163 (February 1995), LR 21:259 (March 1995), LR 22:809 (September 1996).

§917. Personnel Evaluation Standards and Regulations

A. Compliance Handbook 2200 (formerly Bulletin 1525)

1. Compliance Handbook 2200 (formerly Bulletin 1525), Personnel Evaluations, is adopted, as revised.

2. This bulletin provides a uniform approach to the development of local personnel evaluation and assessment plans as a part of the state's shared accountability program. The bulletin contains a monitoring process to be applied by the Department of Education in assessing the effectiveness

EDUCATION

of local programs in the maintenance of quality staff. Uniform definitions are given; processes explained; application of evaluation instruments regulated; and grievance and due process rights assured. Technical assistance to the locals by the department is assured. Samples of process instruments are given in the appendix.

3. Compliance Handbook 2200 (formerly Bulletin 1525) incorporates the Louisiana Components of Effective Teaching and selected pages of the Procedure Manual for the local teacher evaluation program.

4. Compliance Handbook 2200 (formerly Bulletin 1525) also includes the Standards for School Principals in Louisiana as Appendix C, addendum 1998.

B. Teacher Assessment and Evaluation

1. Revised Bulletin 1895, Model Career Options Program (MCOP) Guide 92-93 is adopted.

2. Bulletin 1943, Policies and Procedures for Louisiana Teacher Assessment (June 1994) are adopted. The Louisiana Teacher Assessment Program, which provides for the support and assessment of new teachers, was mandated by the Louisiana Legislature in the Third Extraordinary Session of 1994. The Policies and Procedures for the Louisiana Teacher Assessment are the guidelines by which a teacher teaching in Louisiana public schools for the first time will be assessed. The policies and procedures set forth the philosophy and purposes of the Louisiana Teacher Assessment Program as well as the timelines for conducting the assessments.

C. Bulletin 1943, Policies and Procedures for Louisiana Teacher Assistance and Assessment

1. The Louisiana Teacher Assistance and Assessment Program, which provides for the support and assessment of new teachers, was mandated by the Louisiana Legislature in the Third Extraordinary Session of 1994. The Policies and Procedures for Louisiana Teacher Assistance and Assessment are the guidelines by which a teacher teaching in Louisiana public schools for the first time will be assessed. The Policies and Procedures set forth the philosophy and purposes of the Louisiana Teacher Assistance and Assessment Program as well as the timelines for conducting the assessments.

AUTHORITY NOTE: Mandated by the Act 1 of the 1994 Louisiana Legislature, Third Extraordinary Session under the authority of R.S. 17:3881-3884, R.S. 17:3901-3904, and R.S. 16:3765.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 5:168 (July 1979), amended LR 6:144 (April 1980), LR 7:407 (August 1981), LR 7:484 (October 1981), LR 9:460 (July 1983), LR 13:495 (September 1987), LR 16:297 (April 1990), LR 16:958 (November 1990), LR 17:958 (October 1991), LR 18:1249 (November 1992), LR 19:172 (February 1993), LR 19:173 (February 1993), LR 19:739 (June 1993), repromulgated LR 20:28 (January 1994), LR 20:870 (August 1994), LR 21:676 (July 1995), LR 24:2080 (November 1998), LR 24:2088 (November 1998), LR 25:251 (February 1999), LR 27:1192 (August 2001).

§919. Textbook Adoption Standards and Procedures

A. Bulletin 1794

B. Textbooks for Gifted Programs

1. During the months of February through May 31, Louisiana School for Math, Science and the Arts and other local school boards with gifted programs will be allowed, on an ad hoc basis, to review and evaluate textbooks not on the state-approved textbook list to recommend to the Board of Elementary and Secondary Education for approval for use only in the gifted program. The procedures are:

a. the Board of Elementary and Secondary Education in the month of June, will receive the recommendations and forward them to the Textbook and Media Advisory Council and the Textbook and Media Committee to review to make recommendations to the full board;

b. for those books that the Board of Elementary and Secondary Education approves, a state textbook contract will be entered into with the publishers, effective July 1;

c. the Board of Elementary and Secondary Education will waive specifications for the manufacturing of these books with the stipulation that the publishers will be responsible for replacement up to four years, providing the book has not been negligently abused; and

d. all other existing procedures will be followed in the ordering, delivery, and payment for textbooks.

C. Instructional Materials for Grades K-3. Guidelines to allow state textbook funds to be used to purchase instructional materials for Grades K-3 are:

1. for classes K-3, the school superintendents are authorized to use textbook funds to purchase textbooks and other materials that can be used to support the instruction in these four elementary grades (K-3);

2. the major emphasis in selecting instructional materials for K-3 should be on manipulative and concrete materials such as blocks, dramatic/housekeeping toys, manipulatives (puzzles, legos, etc.), gross motor materials (jump ropes, balls, etc.) and other manipulative materials; and

3. the characteristics and needs of the child in grades K-3 should be considered when selecting appropriate materials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:110 (April 1976), amended LR 3:445 (November 1977), LR 4:76 (March 1978), LR 6:257 (June 1980), LR 7:43 (February 1981), LR 7:407 (August 1981), LR 8:7 (January 1982), LR 8:143 (January 1982), LR 9:321 (May 1983), LR 9:548 (August 1983), LR 9:836 (December 1983), LR 10:76 (February 1984), LR 10:495 (July 1984), LR 11:7 (January 1985), LR 11:849 (September 1985), LR 12:14 (January 1986), LR 12:511 (August 1986), LR 13:496 (September 1987), LR 14:228 (April 1988), LR 15:621 (August 1989), LR 15:962 (November 1989), LR 16:297 (April 1990), LR 21:552 (June 1995), LR 24:434 (March 1998).

§921. Quality Education Support FundC(8g)

A. Bulletin 921: Policy Manual. The board adopted the 8(g) Policy and Procedure Manual for the Louisiana Quality Education Support Fund for elementary, secondary and postsecondary vocational-technical education. The manual includes regulations on public participation, eligibility criteria, and general provisions and clarification of the program. The manual also includes procedures for the establishment of an annual program and budget, for application for monies, and for program administration. It establishes an advisory council, and it includes a calendar of activities.

B. Tuition Exemption: VTIE Teachers. Introduction. Regulations for the tuition exemption program, adopted by the board, for full-time or secondary teachers holding VTIE certificates, are incorporated into Bulletin 921 and are subject to administrative interpretation by the Department of Education.

C. Education Majors Program. This program will provide scholarships to academically talented students who will obtain a bachelor's degree in education which will qualify them to become certified classroom teachers. Regulations for the program are incorporated into Bulletin 921.

AUTHORITY NOTE: Promulgated by the Board of Elementary and Secondary Education in accordance with 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 14:10 (January 1988), LR 14:146 (February 1988), LR 14:228 (March 1988), LR 14:393 (April 1988), LR 14:702 (October 1988), LR 14:790 (November 1988), LR 14:862 (December 1988), LR 15:8 (January 1989), LR 15:181 (March 1989), LR 15:260 (April 1989), LR 15:468 (June 1989), LR 15:1058 (December 1989), amended LR 16:297 (April 1990), LR 20:1260 (November 1994), LR 20:1262 (November 1994), LR 26:248 (February 2000).

§922. Personnel Policies

A. Bulletin 1868

1. Bulletin 1868, Personnel Manual of the Board of Elementary and Secondary Education, is adopted by the board. Policies in this bulletin apply to personnel under the jurisdiction of the state board in the Board Special Schools; in the entities comprising Special School District No. 1, exclusive of the central office staff; and in entities in the vocational-technical system, exclusive of the assistant superintendent for vocational education and related state department staff.

2. These policies apply to unclassified personnel in instances where there are no provisions in federal or state statutes, or resolutions, or gubernatorial executive orders, Division of Administration policies for state agencies, or other controlling rules and regulations affecting unclassified personnel.

3. Classified personnel employed in the schools/agencies/entities under the jurisdiction of the state

board are governed by the rules and regulations of the Civil Service Commission and Bulletin 1868 as applicable.

4. Policies of Bulletin 1868 cover the personnel management areas of: responsibilities and authority; employment; training; discipline; compensation; performance evaluation; reduction in force; employee benefits; grievances; and health, safety, and environmental work factors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(a)(10); 17:6(B); R.S. 17:7 (10), R.S. 17:81.4; R.S. 17:1941-1956; R.S. 17:1993.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990), amended LR 16:957 (November 1990), LR 25:1621 (September 1999).

§923. Accreditation

A. Purpose of the Program. A compliance accreditation program is approved for the following purposes:

1. to establish BESE/SDE compliance with all constitutional and statutory mandates and state and federal regulations which affect public elementary and secondary education, special education and secondary vocational education;

2. to establish SDE compliance with board policies;

3. to establish local system compliance with board approved standards;

4. to provide a program to verify school approval in order for annual school approval to justify annual funding of programs at the local level;

5. to establish a program of school system accreditation to be administered on a 5year basis or as determined by the Board of Elementary and Secondary Education; and

6. to coordinate compliance monitoring of board approved standards by all offices and bureaus within the Department of Education.

B. Elements of the Program. The program shall include:

1. a table of definitions, to include a distinction in the terms "school approval" and "system accreditation";

2. a time-table for completion of the instrument and dates on which various phases of the activities will be enfolded into the program;

3. board approved standards which must be met by local school systems for school approval and system accreditation;

4. a methodology for coding and evaluating data collected via the program and procedures for determining school approval and system accreditation; and

5. a system of dissemination to assure that results are reported to appropriate audiences.

EDUCATION

C. Principles of Preparation. The following general principles shall control the preparation of the program.

1. The Louisiana Constitution and Title 17 of the Revised Statutes define in general terms the responsibilities of the board and the Department of Education. Board policies shall establish the guidelines and the standards for implementation.

2. The department shall have board approval prior to implementation of legal requirements affecting local school systems.

3. The department shall implement board policies and monitor compliance by the local school systems. The department cannot require local systems to exceed board approved standards.

4. All BESE policies shall be stated in policy form or in the form of a school or system standard. Bulletins which are not written in this style shall be revised accordingly.

5. Bulletin 741, Louisiana Handbook for School Administrators, shall be revised to comply with the proper format and shall encompass all compliance areas and the monitoring programs of each office and bureau within the department, including elementary, secondary, special and secondary vocational education.

6. The department, in preparation of the program shall use verbatim policies and standards approved by the board. Rewording or paraphrasing of policies shall be considered as proposing new policy and shall be treated as such.

7. Neither the board nor the department shall prescribe instructional methodology at the local level. The department may address local instructional needs through technical assistance and in-service training with voluntary participation on the part of the local systems.

8. System accreditation shall be based on board approved standards to be met by each school within the system.

D. Standards for Compliance. Standards for the Compliance-Accreditation Program to be followed by the local education agencies are as follows.

1. Instructional Design

a. Instructional Scope and Sequence. A continuous program of skills, concepts, and instruction shall be planned and implemented.

b. Instructional Content. The instructional program of each school shall be characterized by well-defined instructional objectives and systematic planning by teachers.

c. Assessment of Student Performance. Assessment of student performance shall be conducted in each course or instructional level, and mastery of concepts and skills shall be verified.

d. Presentation of Instruction. Individual differences of students shall be provided within the educational program in each school.

e. Learning Environment. The learning environment of the school shall be conducive to the education and overall well-being of students.

2. Instructional Delivery and Support

a. Job Assignment. Teachers shall be assigned on the basis of certification and shall be provided a written job description.

b. Teacher Evaluation. Teachers shall be evaluated on the basis of actual task performance and shall be provided opportunities for assistance in improving skills.

c. Instructional Materials and Equipment. Instruction shall be supported with appropriate materials, equipment, and available community resources to achieve the stated goals and objectives of the school.

d. Teacher Working Conditions. Teacher working conditions shall provide opportunities for fulfilling instructional obligations.

e. Professional Development. Opportunities shall be provided for teachers to participate in professional development activities.

f. Parent Involvement. Parent involvement and support shall be sought through communication between school and home.

3. Instructional Management

a. Job Assignment. In each school a principal/designee for instructional management shall be evaluated.

b. Management Evaluation. The principal's designee for instructional management shall be evaluated.

c. Program Review. Each school shall show evidence of a plan of continuous review, study, research and analysis aimed at instructional improvement.

d. Management Organization. Coordination of school instructional programs shall be planned and arranged to ensure effective program operation.

e. Principal/Designee Working Conditions. Principal/designee working conditions shall provide opportunities for fulfilling instructional obligations.

f. Professional Development. Opportunities shall be provided for principal/designee to participate in professional development activities.

4. Instructional Direction

a. Program Design Policies. Policies and procedures governing the design of major instructional programs shall be stated in written form.

b. Program Operations Policies. Policies and procedures governing the delivery and operation of major instructional programs shall be stated in written form.

c. Organization/Implementation. The professional staff of the parish central office shall be organized with assigned roles, responsibilities, and authority which provide a structure for implementing parish policies for instructional programs.

d. Program Review. Instructional programs of the school system shall be continually reviewed and analyzed so that the strengths and weaknesses can be reported and used to make improvements.

5. Assistance Design

a. Identification/Referral. Each school system shall maintain a balanced comprehensive and coordinated program of pupil services.

b. Evaluation/Eligibility. A planned program of guidance services shall be provided for students in the school.

c. Guidance Services. A planned program of guidance for parents, teachers and administrators shall be provided in the school.

d. Health Services. Each school shall provide those health services essential for the promotion of health and for the protection of the pupils and school personnel.

e. Child Welfare and Attendance Services. A planned program of child welfare and attendance services shall be provided.

6. Assistance Delivery

a. Job Assignment. Student services personnel shall be assigned on the basis of certification and shall be provided a written job description.

b. Personnel Evaluation. Student services personnel shall be evaluated on the basis of actual task performance and shall be provided opportunities for assistance in improving skills.

c. Materials and Equipment. Student services functions shall be supported with appropriate materials, equipment, and available resources.

d. Working Conditions. Working conditions of student services personnel shall provide opportunities for fulfilling program objectives.

e. Professional Development. Opportunities shall be provided for student services personnel to participate in professional development activities.

f. Parent/Student Involvement. Parents and students shall be informed of procedures for obtaining student services.

g. Neither the board nor the department shall prescribe instructional methodology at the local level. The department may address local instructional needs through technical assistance and in-service training with voluntary participation on the part of the local systems.

h. System accreditation shall be based on board approved standards to be met by each school within the system.

7. Assistance Coordination

a. School Level Coordination. Student services shall be coordinated within the school.

b. System Level Coordination. All student services shall be coordinated within the school system.

c. Coordination Management. The delivery of services shall be assured to all students.

d. Monitoring/Control. All student services shall be reviewed, the results reported and necessary changes made.

8. Design Policies

a. Student Services Design Policies. Policies and procedures governing the design of student services shall be stated in written form.

b. Student Services Operations Policies. Policies and procedures governing the delivery of student services shall be stated in written form.

c. Organization/Implementation. The professional staff of the school system is organized with assigned roles, responsibilities, and authority that provide a structure for implementing system policies for student services.

d. Student Services Review. Student services shall be reviewed as necessary so that strengths and weaknesses can be reported and used to make improvements.

9. School Operations

a. Facility Conditions. The school site and building shall provide appropriate and adequate physical facilities to meet the needs of the educational program and to safeguard the health and safety of the pupils.

b. School Information. The school shall use established proper procedures for managing and reporting school information.

c. Contingency Planning and Procedures. The school shall maintain and use contingency plans for immediate response to emergency situations.

d. Community Involvement. The school personnel shall maintain open and frequent communication with the community and shall encourage participation of community members in school activities.

10. School Management

a. Job Assignment. The principal shall have immediate supervisory responsibility for all school operations with described duties, responsibilities, authority, and resources necessary for the job.

b. Management Evaluation. Principals shall be evaluated on the basis of actual task performance and shall be provided opportunities for improving skills.

EDUCATION

c. School Monitoring/Control. School facilities and operations shall be reviewed on a regular basis with results reported to supervisors and used to make needed changes.

d. Principal Working Conditions. The principal's working conditions shall provide opportunities for fulfilling professional obligations.

e. Professional Development. Opportunities shall be provided for principals to participate in professional development activities.

11. Central Office Operations

a. Operations Policies. Policies and necessary implementing procedures for governing school and parish operations shall be stated in written form.

b. Organization/Job Assignment/Operations. The professional staff of the central office shall be organized with assigned roles, responsibilities, and authority that provide a structure for implementing policies for management and operations.

c. Parish Information Management. The system shall use established, proper procedures for managing and reporting system information.

d. Operations Control and Improvement. The parish shall use systematic methods for inspecting, monitoring, and controlling school operations.

e. Community Relations. The system shall regularly assess community needs and conduct public relations activities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 (5); R.S. 17:24.1; R.S. 17:24.3; R.S. 17:228, 230, 232, 235; R.S. 17:391.5, 391.9, 391.10.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 8:324 (July 1982), amended LR 8:406 (August 1982), LR 11:520 (May 1985), LR 16:297 (April 1990).

§924. School Software Standard

A. OSIRIS is to be the statewide standard for school management software. A standard school management software package will result in:

1. significant cost savings to schools and school districts at no cost to the state for software purchase, maintenance and training;

2. consistent and successful information management capabilities; and

3. improved capacity to transfer data among school sites, school districts, and the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:958 (November 1990).

§925. Competency Based Education

A. Competency Based Education Plan

1. A Competency Based Education Plan is adopted. The plan is designed to coordinate into a total program the

provisions of legislative acts related specifically to accountability and to competency-based education. The plan provides for a uniform and consistent statewide system of education, and has among its primary purposes the development of a total, sequentially structured instructional program that focuses on the fundamental academic and life skills needed to function effectively in society. This curriculum, based on clearly delineated measurable performance objectives, ensures curricular validity, thereby making instructional validity a logical next step.

2. The Competency-Based Education Program mandates that curriculum standards be developed for all required subjects. In addition to grade level standards for student achievement, the curriculum guides also contain activities designed for maximum student performance.

3. The Norm-Referenced Testing Program (NRT) required by R.S. 17:24.4 will be implemented in April, 1988, and will be administered statewide for grades 4, 6 and 9.

4. Passing scores on the state criterion-referenced tests for grades 3-5-7 and the state Graduation Test, including the written composition component of the Graduation Test, are listed below.

Grade	Subject	Scale Score
3	Language Arts	347
3	Mathematics	353
5	Language Arts	549
5	Mathematics	549
7	Language Arts	752
7	Mathematics	743
	Graduation Test Language Arts	1053
	Graduation Test Mathematics	1048
	Graduation Test Science	1042
	Graduation Test Social Studies	1041
	Graduation Test Written Composition	1047

5. Performance Standard(s) for the LEAP Written Composition Test, grades 5 and 7 are listed below.

Grade 5C Written Composition	
Performance Standard, Scale Score	553
Passing Raw Score	53
Maximum Possible Points*	72
Percentage of Points Necessary to Pass	74
Estimated Percent Failed	14%
Grade 7C Written Composition	
Performance Standard	745
Passing Raw Score	45
Maximum Possible Points*	72
Percentage of Points Necessary to Pass	63
Estimated Percent Failed	26%
*A student can score a maximum of 72 points based upon the Domain Scoring Model that will be used by the readers to score the student responses.	

B. Test Security Policy. The Board of Elementary and Secondary Education holds the test security policy to be of utmost importance and deems any violation of test security to be serious.

1. Tests administered by or through the Board of Elementary and Secondary Education shall include but not be limited to:

- a. teacher evaluation tests for vocational-technical education;
- b. the High School Graduation Exit Examination;
- c. High School Equivalency Program Test (GED); and
- d. all criterion-referenced tests (CRT) and norm-referenced tests (NRT).

2. For purposes of this policy, school districts shall include LEA, Special School District No. 1, special schools, and vocational-technical schools, and institutions which utilize tests administered through the Board of Elementary and Secondary Education or the Department of Education. It shall be a violation of test security for any person to do any of the following:

- a. administer test in a manner that is inconsistent with the administrative instructions provided by the Department of Education, which would give students an unfair advantage or disadvantage;
- b. give examinees access to test questions prior to testing;
- c. copy, reproduce, or use in any manner inconsistent with test regulations all or part of any secure test booklet;
- d. coach examinees during testing or alter or interfere with examiner's responses in any manner;
- e. make answer keys available to examinees;
- f. fail to follow security regulations for distribution and return of secure test as directed, or fail to account for and secure test materials before, during or after testing; or
- g. participate in direct aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in this Section.

3. Each local school district shall develop and adopt a district test security policy. The policy shall provide for the security of the materials during testing and the storage of all secure tests and test materials, including observational answers, keys, video tapes and completed observation sheets and examinee answer documents before, during and after testing.

4. Test materials, including all test booklets and other materials containing secure test questions, answer keys, and student responses, shall be kept secure and accounted for in accordance with the procedure specified in the examination

program administration manuals and other communications provided by the Department of Education. Such procedures shall include but are not limited to the following.

a. All test materials shall be kept in secure, locked storage prior to and after administration of any test.

b. All test materials shall be accounted for and written documentation kept by test administrators and proctors for each point at which test materials are distributed and returned.

c. Any discrepancies noted in the number or serial numbers of testing materials received from contractors shall be reported to the state superintendent of education by designated institutional or school district personnel prior to the administration of the test.

d. In the event the test materials are determined to be missing while in the possession of the institution or school district, designated institutional or school district personnel shall immediately by telephone notify the state superintendent of education. The designated institutional or school district personnel shall investigate the cause of the discrepancy and provide the Department of Education with a report of the investigation within 30 calendar days of the initiation of the investigation. At a minimum, the report shall include the nature of the situation, the time and place of occurrence, and the names of the persons involved in or witness to the occurrence. Officials from the Department of Education are authorized to conduct additional investigations.

5. Each local superintendent shall designate annually one individual in the system authorized to procure test instruments which are utilized in testing programs administered by or through the Board of Elementary and Secondary Education or the Department of Education. The name of the individual designated shall be provided in writing to the Department of Education.

6. The state superintendent of education may disallow, after investigation, test results which may have been achieved in a manner which is violative of test security.

7. The Department of Education shall establish procedures to identify:

- a. improbable achievement of test score gains in consecutive years;
- b. situations in which collaboration between or among individuals occurs during the testing process;
- c. a verification of the number of all tests distributed and the number of tests returned; and
- d. any other situation which may result in invalidation of test results.

8. In cases where test results are not accepted because of breach of test security or action by the Department of Education, any programmatic, evaluative, certification, or graduation criteria dependent upon the data shall not have been met.

EDUCATION

9. Individuals shall adhere to all procedures specified in all operation manuals governing the mandated testing program.

10. Any individual who knowingly engages in any activities during testing which result in invalidation of scores derived from the High School Graduation Exit Examination, the High School Equivalency Program Test (GED) or the Vo-Tech Teachers' Evaluation examinations shall forfeit the test results and will be allowed to retake the test at the next test administration.

11. Anyone known to be involved in the presentation of forged, counterfeit, or altered identification for the purpose of obtaining admission to a test administration site for any test administered by or through the Board of Elementary and Secondary Education shall have breached test security. Any individual who knowingly causes or allows the presentation of forged, counterfeit or altered identification for the purposes of obtaining admission to any test administration site shall forfeit all test scores and will be allowed to retake the test at the next test administration. Any teacher or other school personnel who allows or breaches test security shall be disciplined in accordance with policy and regulations adopted by the Board of Elementary and Secondary Education and any and all laws governing school students and school personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4; R.S. 17:391.1-391.11.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 8:63 (February 1982), amended LR 8:188 (April 1982), LR 9:60 (February 1983), LR 10:400 (May 1984), LR 10:745 (October 1984), LR 11:520 (May 1985), LR 11:848 (September 1985), LR 12:14 (January 1986), LR 12:762 (November 1986), LR 13:496 (September 1987), LR 13:563 (October 1987), LR 14:10 (January 1988), LR 15:469 (June 1989), LR 16:297 (April 1990), LR 16:605 (July 1990).

§927. Communicable Disease Control Policy

A. The Department of Education will work cooperatively with the Department of Health and Hospitals for the prevention, control and containment of communicable diseases in schools.

1. Students are expected to be in compliance with the required immunization schedule. The building principal is required under R.S. 17:170 to exclude children from school attendance who are out of compliance with the immunizations required by this statute. School personnel will cooperate with public health personnel in completing and coordinating all immunization data, waivers and exclusions, including the necessary Vaccine Preventable Disease Section's School Immunization Report forms (EPI-11, 11/84) to provide for preventable communicable disease control.

2. The superintendent may exclude a student or staff member for not more than five days from school or employment when reliable evidence or information from a public health officer or physician confirms him/her of having a communicable disease or infestation that is known to be

spread by any form of casual contact and is considered a health threat to the school population. Such a student or staff member shall be excluded unless the public health officer approves school attendance or employment or the condition is no longer considered contagious.

3. When reliable evidence or information from a public health officer or physician confirms that a student/staff member is known to have a communicable disease or infection that is known not to be spread by casual contact, (i.e., HIV infection, Hepatitis B and other like diseases), the decision as to whether the affected person will remain in the school or employment setting will be addressed on a case-by-case basis by a review panel to ensure due process.

4. Mandatory screening for communicable diseases that are known not to be spread by casual contact is not warranted as a condition for school entry or for employment or continued employment.

5. Irrespective of the disease presence, routine procedures shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting or school buses. School personnel will be trained in the proper procedures for handling blood and body fluids and these procedures will be strictly adhered to by all school personnel.

6. Any medical information that pertains to students or staff members, proceedings, discussions and documents shall be confidential information. Before any medical information is shared with anyone in the school setting a "Need to Know" review shall be made which includes the parent/guardian, student if 18, employee or his/her representative unless the information is required to meet the mandates of federal or state law or regulation, or Board of Elementary and Secondary Education policy.

7. Instruction on the principal modes by which communicable diseases, including, but not limited to, HIV infection, are spread and the best methods for the restriction and prevention of these diseases shall be taught to students and inservice education provided to all staff members.

8. Due Process Procedures

a. The Review Panel

i. Communicable diseases that are known not to be spread by casual contact (e.g., AIDS, Hepatitis B and other like diseases) will be addressed on a case-by-case basis by a review panel.

ii. Panel Membership

(a). The physician treating the individual.

(b). A health official from the local parish health department.

(c). A child/employee advocate (e.g., nurse, counselor, child advocate, social worker, employee representative, etc., from in or outside the school setting) approved by the infected person or parent/guardian.

(d). A school representative familiar with the child's behavior in the school setting or the employee's work situation (in most cases the building principal or in the case of a special education student, a representative may be more appropriate).

(e). Either the parent/guardian of a child, a student if 18, employee, or their representative.

(f). The school system superintendent.

iii. The superintendent will assign a stenographer to record the proceedings.

iv. The superintendent will designate the chair of the panel.

v. The chair of the review panel will designate the panel member who will write the "Proposal for Decision."

b. Case Review Process. Upon learning of a student/staff member with the LEA who has been identified as having a communicable disease that is known not to be spread by casual contact, the superintendent shall:

i. Immediately consult with the physician of the student/staff member or public health officer who has evidence of a present or temporary condition that could be transmitted by casual contact in the school setting. (If the public health officer indicates the student/staff member is well enough to remain in the school setting and poses no immediate health threat through casual contact to the school population because of their illness, the student/staff member shall be allowed to remain in the school setting while the review panel meets. If the public health officer indicates the student/staff member is currently not well enough to remain in the school setting and/or the affected individual currently has evidence of an illness or infection that poses a potential health threat through casual contact to the school population because of their illness, the student/staff member shall be excluded from the school setting while the review panel meets. If the public health officer recommends exclusion because a public health threat exists, the review panel will discuss the conditions under which the individual may return to school.)

ii. Immediately contact the review panel members to convene a meeting to explore aspects of the individual's case.

iii. The superintendent will submit to the parent/guardian or infected person if 18 or older, a copy of the Communicable Disease Control Policy.

iv. All federal and state statutes, federal and state regulations, and all Board of Elementary and Secondary Education policies pertaining to provision of special education services must be observed.

c. The Review Panel Process

i. The review panel shall meet within 24-48 hours to review the case. The following aspects should be considered in that review:

(a). the circumstances in which the disease is contagious to others;

(b). any infections or illnesses the student/staff member could have as a result of the disease that would be contagious through casual contact in the school situation;

(c). the age, behavior, and neurologic development of the student;

(d). the expected type of interaction with others in the school setting and the implications to the health and safety of others involved;

(e). the psychological aspects for the infected individual remaining in the school setting;

(f). consideration of the existence of contagious disease occurring within the school population while the infected person is in attendance;

(g). consideration of a potential request by the person with the disease to be excused from attendance in school or on the job;

(h). the method of protecting the student/staff member's right to privacy, including maintaining confidential records;

(i). recommendations as to whether the student/staff member should continue in the school setting or if currently not attending school, under what circumstances he/she may return;

(j). recommendations as to whether a restrictive setting or alternative delivery of school programs is advisable;

(k). determination of whether an employee would be at risk of infection through casual contact when delivering an alternative educational program;

(l). determination of when the case should be reviewed again by the panel; and

(m). any other relevant information.

ii. Proposal for Decision

(a). Within three operational days (a day when the school board central office is open for business) after the panel convenes, the superintendent shall provide a written decision to the affected party based on the information brought out in the review panel process and will include the rationale for the decision concerning school attendance for the student or continuation of employment for staff member.

(b). If the decision is to exclude the affected person from the school setting because of the existence of a temporary or present condition that is known to be spread by casual contact and is considered a health threat, the written decision shall include the conditions under which the exclusion will be reconsidered.

EDUCATION

(c). If the affected person is a special education student, an Individualized Education Program Conference must be convened to determine the appropriateness of the program and services for the student.

d. Appeal Process

i. Rehearing Request

(a). The parent, guardian or affected person who considers the Proposal for Decision unjust may request a rehearing, in writing, directed to the superintendent within three days of the date of the decision. Grounds for requesting a rehearing are limited to:

(i). new evidence or information that is important to the decision; or

(ii). substantial error of fact.

(b). The superintendent, within 48 hours from the date of receipt of the request for rehearing shall either grant or deny the request for rehearing. If the request for rehearing is granted, the chair shall reconvene the same panel that originally heard the matter within five business days of the date the hearing is granted.

(c). Within three operational days (a day when the school system's central office is open for business) after the rehearing, the superintendent shall submit the decision to the parent/guardian or affected person.

ii. Request for a Local Board Decision

(a). The parent/guardian, affected person or their representative may make a final written appeal to the president of the local board of education within five operational days after the superintendent's decision. The board shall meet within three operational days and hear the student/staff member's appeal along with the Proposal for Decision and superintendent's decision. Within two business days of the hearing, the board shall render its decision in writing with copies sent to the superintendent, health department health official, and parent/guardian or affected person.

(b). Should the superintendent deny the request for rehearing, the appellant may appeal to the local board of education by exercising the process in clause ii.

iii. Review Panel Request for Appeal. If the Proposal for Decision or the superintendent's decision is contrary to the majority opinion of the review panel, a majority of the panel has the right to appeal either decision in the same manner stated in the "Appeal Process."

e. General

i. If the affected student cannot attend school, the LEA will provide an alternative school program.

(a). If the public health officer determines there is a risk of infection to an employee through casual contact while delivering this program, the employee will not be required to provide educational services.

(b). If the public health officer determines there is no risk of infection to the employee, the employee will be expected to participate in the delivery of educational services.

ii. The review panel member who is serving as the advocate for the infected individual (or another person designated by the panel and approved by the parent/guardian, or the infected person) will serve as the liaison between the student/staff member, family and attending physician as it relates to the school setting.

iii. These procedures in no way limit or supersede the procedural due process requirements established in 29 USC 706 (7) and R.S. 17:1941, 7946 20 USC 1400-1485, et seq.

f. Confidentiality. All persons involved in these procedures shall be required to treat all proceedings, deliberations, and documents as confidential information. Records of the proceedings and the decisions will be kept by the superintendent in a sealed envelope with access limited to only those persons receiving the consent of the parent/guardian or infected person as provided in 20 USC 1232 g.

g. Appendices to the policy contain the following subject matters.

i. Appendix A. Guidelines for Handling Body Fluids by Schools

ii. Appendix B. Blood Born Diseases

iii. Appendix C. Respiratory Diseases

iv. Appendix D. Enteric Diseases

v. Appendix E. Contact Diseases

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (10) (15); R.S. 17:170; R.S. 17:1941; 20 USC 1232.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 14:703 (October 1988), LR 16:297 (April 1990).

§929. Administration of Medication Policy

A. Administration of Medication

1. R.S. 17:436.1, Act 87 of 1993, requires that the Board of Elementary and Secondary Education and the State Board of Nursing formulate and adopt a joint policy on the administration of medications for local school systems that require unlicensed personnel to perform those functions.

2. Each city and parish school board shall establish guidelines based upon the joint policy which shall include but not be limited to the following provisions.

3. Any waiver, deletions, additions, amendments, or alterations to the joint policy shall be approved by both boards.

B. Written Orders, Appropriate Containers, Labels, and Information

Title 28, Part I

1. Medication shall not be administered to any student without an order from a Louisiana, or adjacent state, licensed physician or dentist and it shall include the following information:

- a. the student's name;
- b. the name and signature of the physician/dentist;
- c. physician/dentist's business address, office phone number, and emergency phone numbers;
- d. the frequency and time of the medication;
- e. the route and dosage of medication; and
- f. a written statement of the desired effects and the child specific potential adverse effects.

2. Medication shall be provided to the school by the parent or guardian in the container that meets acceptable pharmaceutical standards and shall include the following information:

- a. name of pharmacy;
- b. address and telephone number of pharmacy;
- c. prescription number;
- d. date dispensed;
- e. name of student;
- f. clear directions for use, including the route, frequency, and other as indicated;
- g. drug name and strength;
- h. last name and initial of pharmacist;
- i. cautionary auxiliary labels, if applicable; and
- j. physician or dentist's name.

3. Labels of prepackaged medications, when dispensed, shall contain the following information in addition to the regular pharmacy label:

- a. drug name;
- b. dosage form;
- c. strength;
- d. quantity;
- e. name of manufacturer and/or distributor; and
- f. manufacturer's lot or batch number.

C. Administration of Medication: General Provisions

1. During the period when the medication is administered the person administering medication shall be relieved of all other duties. This requirement does not include the observation period required in §927.C.5. The local school systems shall determine how to implement this requirement.

2. Except in life threatening situations, trained unlicensed school employees may not administer injectable medications.

3. All medications shall be stored in a secured locked area or locked drawer with limited access except by authorized personnel.

4. Only oral, inhalant, topical ointment for diaper rash, and emergency medications shall be administered at school by unlicensed personnel.

5. Each student shall be observed by a school employee for a period of 45 minutes following the administration of medication. This observation may occur during instruction time.

6. School medication orders shall be limited to medications which cannot be administered before or after school hours.

D. Principal. The principal shall designate at least two employees to receive training and administer medications in each school.

E. Teacher. The classroom teacher who is not otherwise previously contractually required shall not be assigned to administer medications to students. A teacher may request in writing to volunteer to administer medications to his/her own students. The administration of medications shall not be a condition of employment of teachers employed subsequent to July 1, 1994. A regular education teacher who is assigned an exceptional child shall not be required to administer medications.

F. School Nurse

1. The school nurse, in collaboration with the principal, shall supervise the implementation of the school policies for the administration of medications in schools to insure the safety, health and welfare of the students.

2. The school nurse shall be responsible for the training of nonmedical personnel who have been designated by each principal to administer medications in each school. The training shall be at least six hours and include but not be limited to the following provisions:

- a. proper procedures for administration of medications including controlled substances;
- b. storage and disposal of medications;
- c. appropriate and correct record keeping;
- d. appropriate actions when unusual circumstances OR medication reactions occur; and
- e. appropriate use of resources.

G. Parent/Guardian

1. The parent/guardian who wishes medication administered to his/her student shall provide the following:

EDUCATION

a. a letter of request and authorization that contains the following information:

- i. name of the student;
- ii. clear instructions;
- iii. RX number, if any;
- iv. current date;
- v. name, degree, frequency, and route of medication;
- vi. name of physician or dentist;
- vii. printed name and signature of parent or guardian;
- viii. emergency phone number of parent or guardian; and
- ix. statement granting or withholding release of medical information;

b. written orders for all medications to be given at school, including annual renewals at the beginning of the school year;

c. a prescription for all medications to be administered at school, including medications that might ordinarily be available over the counter;

d. a list of all medications that the student is currently receiving at home and school, if that listing is not a violation of confidentiality or contrary to the request of the parent/guardian or student;

e. a list of names and telephone numbers of persons to be notified in case of medication emergency in addition to be the parent or guardian and licensed prescriber;

f. arrangements for the safe delivery of the medication to and from school in the original labeled container as dispensed by the pharmacist; the medication shall be delivered by a responsible adult; and

g. unit dose packaging shall be used whenever possible.

2. All aerosol medications shall be delivered to the school in premeasured dosage.

3. No more than a 35 school day supply of medication shall be kept at school.

4. The initial dose of a medication shall be administered by the student's parent/guardian outside the school jurisdiction with sufficient time for observation for adverse reactions.

5. The parent/guardian shall also work with those personnel designated to administer medication as follows:

a. cooperate in counting the medication with the designated school personnel who receives it and sign a drug receipt form;

b. cooperate with school staff to provide for safe, appropriate administration of medications to students, such as positioning, and suggestions for liquids or foods to be given with the medication;

c. assist in the development of the emergency plan for each student;

d. comply with written and verbal communication regarding school policies;

e. grant permission for school nurse/physician consultation; and

f. remove or give permission to destroy unused, contaminated, discontinued, or out-of-date medications according to the school guidelines.

H. Student Confidentiality. All student information shall be kept confidential.

NOTE: This is not part of the joint policy: There is a set of guidelines which have been developed by an administration of medication task force and approved by the State Board of Nursing, which may be used by local school systems in developing their local administration of medication guidelines. These guidelines are available upon request in the Board of Elementary and Secondary Education's office.

AUTHORITY NOTE: Promulgated in accordance with Act 87 of R.S. 1993 (R.S. 17:436.1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 21:260 (March 1994), LR 22:277 (April 1996).

§930. State Content Standards

A. Bulletin 1955CMathematics Framework

1. Bulletin 1955, Standards for Mathematics Framework in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

B. Bulletin 1962CScience Framework

1. Bulletin 1962, Standards for Science Framework in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

C. Bulletin 1963CArts Content Standards

1. Bulletin 1963, Standards for Arts Content in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

D. Bulletin 1964C Social Studies Content Standards

1. Bulletin 1964, Standards for Social Studies in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

E. Bulletin 1965C English Language Arts Content Standards

1. Bulletin 1965, Standards for English Language Arts in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

F. Bulletin 1966C Foreign Language Content Standards

1. Bulletin 1966, Standards for Foreign Language in Louisiana Schools, is adopted.

2. This bulletin contains standards and benchmarks to be used by local agencies (LEAs) as a basis for curriculum design. These standards and benchmarks define what Louisiana students should know and be able to do.

G. Bulletin 1977C Business Education Content Standards Curriculum Framework

1. Bulletin 1977, Business Education Content Standards Curriculum Framework, is adopted.

2. This bulletin contains standards and benchmarks which will be used by local agencies (LEAs) as a guide for developing curriculum at the local level. These standards and benchmarks define what Louisiana students should know and be able to do.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 24:296 (February 1998), amended LR 24:2088 (November 1998).

Subchapter B. State Plans

§931. Adult Education State Plan

A. The amended Adult Education State Plan, FY 1989-1993 is adopted.

B. The state plan contains a statement on the purposes of the adult education program, an assessment of needs by population categories, and an inventory of federal and nonfederal resources available to the program. Specific goals are established and activities delineated for meeting the goals within the time frame of the plan. Funding sources are given; eligibility requirements for applicants and procedures for applying are established.

AUTHORITY NOTE: Promulgated in accordance with PL 100-297; R.S. 17:7 (3); R.S. 17:14.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:234 (August 1976), LR 3:308 (July 1977), LR 4:204 (July 1978), LR 5:243 (August 1979), LR 8:227 (June 1982), LR 11:759 (August 1985), LR 14:702 (October 1988), LR 14:703 (October 1988), LR 15:818 (October 1989), LR 16:297 (April 1990), LR 18:955 (September 1992).

§933. Migrant Education State Plan

A. The Migrant Education State Plan, FY-95 is adopted as revised.

B. The state plan includes a program narrative which describes the objectives of the program, establishes the need for assistance and describes anticipated benefits and results. The target population is identified along with a description of services to be rendered. A budget summary is presented, including personnel needs and costs. Standard assurances are given.

AUTHORITY NOTE: Promulgated in accordance with PL 100-297; R.S. 17:7 (3).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:270 (September 1976), amended LR 3:404 (October 1977), LR 4:240 (July 1978), LR 5:168 (July 1979), LR 6:257 (June 1980), LR 8:234 (May 1982), LR 9:32 (May 1983), LR 10:453 (May 1983), LR 11:686 (July 1985), LR 12:420 (July 1986), LR 13:393 (July 1987), LR 14:348 (June 1988), LR 15:734 (September 1989), LR 16:297 (April 1990), LR 16:850 (October 1990), LR 17:772 (August 1991), LR 18:954 (September 1992), LR 19:1418 (November 1993), LR 20:1262 (November 1994).

§935. Nutrition Education State Plan

A. The State Plan for Nutrition Education and Training Program FY-91 is adopted, as amended.

B. The National School Lunch Act creates the Nutrition Education and Training Program which provides federal funds to state educational agencies for the purposes of teaching children about nutrition, providing training to food service personnel in all aspects of food service management and providing training and materials to teachers to enable them to teach children. The program operates in public and nonpublic schools and in public and nonpublic residential and nonresidential child care institutions.

C. The state plan contains a needs assessment, descriptions of priority state populations, goals, objectives, time frames, and information on program evaluations.

AUTHORITY NOTE: Promulgated in accordance with PL 95-166; R.S. 17:7(3); R.S. 17:193.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 5:276 (September 1979), amended LR 5:345 (November 1982), LR 6:543 (September 1980), LR 8:427 (November 1982), LR 9:614 (September 1983), LR 11:849 (September 1985), LR 13:160 (March 1987), LR 14:11 (January 1988), LR 16:297 (April 1990), LR 17:773 (August 1991).

§937. Special Education State Plan

A. Bulletin 1921, the Revised Louisiana Annual Special Education Program Plan, for Fiscal Years 1994-1996 is adopted, along with Bulletin 1927, Pre-school Grant Application.

EDUCATION

B. This plan is the document submitted to the United States Department of Education by the Board of Elementary and Secondary Education. The plan is mandated by 20 USC 1413 (PL 94-142, Section 613) for those states which seek federal funds for special education services to handicapped children.

C. The document outlines policies and procedures which assure that funds will be expended according to federal law in publicly operated special education programs; a description of programs and procedures for personnel development and information dissemination; policies and procedures for involvement of handicapped children in nonpublic elementary and secondary schools in special education; policies and procedures for recovering inappropriately spent funds; assurances for the control funds and title to property acquired with awarded funds; provisions for necessary reports to the U.S. Department of Education and necessary record keeping to meet federal requirements; provisions for federal notice requirements; provisions for program evaluation; provisions for a state advisory panel; and assurances for special education services provided to children in state operated programs.

D. The plan also incorporates appendices which contain R.S. 17:1941, et seq (Act 754C the Exceptional Children's Act); Bulletin 1706 (Regulations for Implementation of the Exceptional Children's Act); and Bulletin 1508 (Pupil Appraisal Handbook).

AUTHORITY NOTE: Promulgated in accordance with PL 94-142 Part B; R.S. 17:7(3); R.S. 17:1944, 1948.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:365 (October 1978), amended LR 6:174 (May 1980), LR 9:411 (June 1983), LR 12:290 (May 1986), LR 13:433 (August 1987), LR 16:297 (April 1990), LR 16:849 (October 1990), LR 19:1548 (December 1993).

§939. Vocational Education State Plan

A. The Louisiana Program Plan for the Administration of Vocational Education FY 1995-96 is adopted. This Plan meets the intent of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 which includes the use of a combination Pell Grant and JTPA formula. The Plan contains definitions, objectives, state board priorities, and planned use of federal funds. Fiscal control and accounting procedures are given as well as provisions for program evaluation. Assurance statements are provided as required by federal law. Duties and functions of the State Council on Vocational Education are given.

B. The State Plan for Vocation Education shall be submitted to board for approval at the last meeting prior to May 1 of each year. The plan shall be submitted to the U.S. Department of Education officials for approval, no later than 15 days after board approval.

AUTHORITY NOTE: Promulgated in accordance with PL 98-524; R.S. 17:7 (3); R.S. 17:2034.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:243 (August 1976),

amended LR 3:336 (August 1977), LR 4:377 (September 1978), LR 5:243 (November 1981), LR 8:406 (August 1982), LR 10:661 (September 1984), LR 11:760 (August 1985), LR 14:610 (September 1988), LR 15:820 (October 1989), LR 16:297 (April 1990), LR 16:767 (September 1990), LR 17:772 (August 1991), LR 20:870 (August 1994).

§941. Louisiana State Plan for the Education of Homeless Children

A. The Louisiana State Plan for the Education of Homeless Children and Youth (EHCY), adopted by the state board pursuant to the Stewart B. McKinney Homeless Assistance Act (PL 100-77), is designed to ensure that homeless children and youth have access to a free, appropriate public education on the same basis as children and youth with established residences. Residence requirements as components of the state compulsory school attendance laws do not pose any barriers to the education of homeless individuals.

B. Among services made available to the children of homeless parents or homeless youth shall be all educational services for which the child/youth meets the eligibility criteria when these programs are provided for the other students within the local education agency. The educational services include, but are not limited to, compensatory educational programs for the disadvantaged, programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs. Identification and participation by the proper students will be reviewed for compliance during program on-site visits.

C. School records of homeless students shall be maintained in the same manner as those of other students. Records are to be made available and transferred in a timely fashion to a new school where the child or youth intends to enroll. Maintenance of school records will be monitored in on-site visits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 1:17(6)(A)(2); PL 100-77, Title VII, Subtitle B.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 15:734 (September 1989), amended LR 16:297 (April 1990).

§943. Louisiana Child Nutrition Program Regulations

A. The board adopted rules and regulations for the operation of the Louisiana Child Nutrition Program. The purpose of the program is to enable child care institutions to integrate a nutritious food service with organized child care services for enrolled children. The rules and regulations are the same as those established in 7 CFR Parts 210-245 for the operation of the Child Nutrition Program.

B. Appeals procedures are provided in board approved regulations. These regulations outline the types of actions which are appealable; appropriate notices; procedures for prehearing conferences; evidence which can be submitted; procedures for conducting the hearings and judicial review; and the maintenance of records.

Title 28, Part I

1. Louisiana Child Nutrition Programs Appeals Procedures

a. Purpose. The rules and regulations contained in this Subpart shall govern and control procedures used by the Louisiana Department of Education, Division of Nutrition Assistance (hereafter referred to as state agency) for taking action against a school food authority or a child and adult care food program sponsor (hereafter referred to as institution).

b. Service

i. The service of the Notice of Proposed Action, Request for Appeal and Decision shall be made personally or by official U.S. postal certified mail, return receipt requested.

ii. Service upon an institution's authorized representative, officer, or agent constitutes service upon that institution.

iii. Service by certified mail is complete upon the date of receipt. An official U.S. postal receipt from the certified mailing constitutes prima facie evidence of service. Any other orders, notices, or documents served or exchanged pursuant to these rules shall be done through personal service or the U.S. mail, all postage prepaid.

(a). For purposes of determining whether services have been timely made, if the last day of any deadline established by these rules falls on a weekend or a state holiday, service is considered timely made if received on or before the close of business of the next business day. If the deadline for service falls on a business day, service must be made before close of business that day.

C. Notice of Proposed Action. The state agency shall notify the institution, in writing, of the actions being taken through a "Notice of Proposed Action." This notice shall contain the following information:

1. a list of specific violations of program rules and regulations alleged to have been committed by the institution;

2. the specific amount of the fiscal sanction assessed against the institution, if any;

3. a statement specifying what action the institution must take to correct the violation(s) to avoid further proceedings;

4. a statement of the time lines related to the proposed action;

5. a statement as to the consequences for failing to timely take corrective actions, make payments, or make a Request for Appeal;

6. a statement of the institution's right to appeal the proposed action.

D. Request for Appeal

1. Institutions wishing to appeal proposed actions shall serve a Request for Appeal upon the agency designated in the Notice of Proposed Action within 15 calendar days from the date of receipt of the Notice of Proposed Action.

2. The Request for Appeal shall contain the following information:

a. a listing of what specific violations set forth in the Notice of Proposed Action are being appealed together with a short and plain statement of each contested issue of fact or law concerning each violation;

b. a statement specifying which of the following two forms of appeal an institution seeks:

i. a review of the records with the right to submit additional written information to dispute the proposed action; or

ii. a hearing. Appeals will be conducted by a fair and impartial hearing officer. The institution may be represented by legal counsel or another designated individual.

c. a statement as to the relief or remedy the institution seeks from the appeal.

E. Appeals on the Record; Submissions

1. Institutions opting to appeal proposed actions by a review of the record shall submit all documents and information, in written form, that they wish to have considered in the appeal to the hearing officer within 30 calendar days from the state agency's receipt of the Request for Appeal.

2. The state agency shall submit all documents and written information it wishes to have considered to the hearing officer within 30 calendar days from the state agency's receipt of the Request for Appeal.

F. Notice and Time of Hearing. If a hearing is requested, the hearing officer shall schedule a hearing to be held within 90 calendar days from the date of receipt of the Request for Appeal by the designated agency. The hearing officer shall notify the institution in writing of the time, date, and place of the hearing, at least 10 calendar days in advance of the date of the hearing.

G. Effect of Appeal Upon Agency Actions. The Notice of Proposed Action issued to the institution shall remain in effect until the decision is rendered in the appeal. Participating institutions may continue to operate under the program during an appeal of a proposed action, unless the state agency action is based on imminent dangers to the health or welfare of children and that basis is stated in the Notice of Proposed Action. Institutions who continue to operate while appealing a termination shall not be reimbursed for any meals served from the date of service of the Notice of Proposed Action to the date of receipt of the appeal decision, if the decision upholds the termination.

H. Default. The hearing officer may declare any party in default who, without good cause shown:

1. fails to file brief or memorandums or exchange information and evidence as may be required by the hearing officer or these rules;

2. fails to appear at or participate in any pre-hearing conference;

EDUCATION

3. fails to appear at or to participate in the hearing.

I. Evidence—Order of Hearing

1. Evidence that is material and relevant to an issue or inquiry before the hearing officer is admissible, unless objected to on grounds set forth herein. The introduction of evidence may be limited or barred upon objection of any party, or by the hearing officer upon his own motions. Hearings conducted under this rule are not bound by the formal rules of evidence prescribed for civil actions in district or higher courts, and in this connection, the following rules apply.

a. Hearsay evidence may be introduced if it corroborates competent evidence found in the record. The hearing officer will determine how much weight, if any, to give to hearsay evidence. Evidence concerning the reliability and probative value of any introduced hearsay evidence may also be admitted.

b. Unduly repetitious evidence, whether testimonial or documentary, shall be excluded when such exclusion will not materially prejudice the rights of a party.

c. The hearing officer may allow oral testimony to be given under direct examination by narration rather than through question and answer. The hearing officer may allow or require any oral testimony to be submitted in written form upon agreement of both parties.

J. Hearing Conduct and Decorum. At any hearing or meeting, the hearing officer shall have the authority to regulate the course of the proceedings and the conduct of all persons present, including the right to have any person, for misconduct or refusal to obey orders, removed from the hearing, banned from further participation or introduction of evidence, dismissed as a party or subjected to such other sanctions or restrictions he deems appropriate. The hearing officer may, at any time, continue the meeting or hearing to another time and/or location and/or terminate the meeting or hearing to preserve order and decorum. The hearing officer is responsible for insuring that the hearing and/or review of records is conducted in an orderly, fair, and expeditious manner.

K. Decision, Judicial Review, Records

1. The hearing officer shall render a decision which shall include findings of fact, conclusions, and a statement as to the reasons for the decision. The decision shall be rendered within 120 days from the receipt of the Request for Appeal by the state agency. The decision shall be served to the institution by the hearing officer and shall constitute the final state agency action for purposes of judicial or other review. The decision of the hearing officer can be appealed as provided by law.

2. The appeal record, where the institution chooses to submit written information to dispute the state agency action taken against it, shall consist of that written information together with such written information as the state agency

chooses to likewise submit to support its Notice of Proposed Action and the decision thereon.

3. The appeal record of a hearing shall consist of the evidence submitted at the hearing, a statement of any matter officially noticed, offers of proof, objections and rulings thereon, a recording of the hearing procedures, and the hearing officer's decision. A verbatim transcript of the recorded proceedings shall not be accomplished unless requested by one of the parties, at its cost, or in the event of a judicial appeal.

4. The hearing officer shall be the custodian of the records. The appeal record shall be maintained for a period of not less than three years from the date the decision is mailed to the institution or the date of the submission of the final claim for reimbursement of the action involving the appeal or resolving of the action, whichever comes later.

AUTHORITY NOTE: Promulgated in accordance with 7 CFR, 210-245.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 15:9 (January 1989), amended LR 16:297 (April 1990), LR 21:463 (May 1995), LR 26:1599 (August 2000).

§944. Child and Adult Care Food Program

A. Child Care Registration for Participants in the Child and Adult Care Food Program. In compliance with R.S. 46:1441.4.B, the following rules and regulations are hereby established to carry out the provisions of this Chapter for those family child day care homes and group child day care homes which participate in the federal Child and Adult Care Food Program.

1. Definitions. As established by R.S. 1441.1 and as used in these rules and regulations, the following definitions shall apply unless the context clearly states otherwise.

Child A person who has not reached the age of 13 years. The words "child" and "children" are used interchangeably in this Chapter.

Child and Adult Care Food Program the federal nutrition reimbursement program as funded by the federal Department of Agriculture through the Department of Education.

Department the Department of Health and Hospitals or the Department of Social Services or the Department of Education in accordance with 7 CFR Part 226, as indicated by the context.

Family Child Day Care Home any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision, and/or guidance of six or fewer children.

Group Child Day Care Home any place, facility, or home operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision, and/or guidance of seven but not more than twelve children.

Sponsoring Agency Cany private, public, for profit or nonprofit corporation, society, agency, or any other group approved by or contracted with the Department of Education to coordinate family child day care homes and group child day care homes participating in the federal Child and Adult Care Food Program.

2. All Group Child Day Care Homes which participate in the Child and Adult Care Food Program (CACFP) shall be licensed through the Department of Social Services in accordance with the provisions of R.S. 46:1401-1424.

3. All Family Child Day Care Homes which participate in the Child and Adult Care Food Program (CACFP) shall be registered through the Department of Education according to the following criteria:

- a. the facility shall be the private residence of the child care provider;
- b. the provider shall enter into the required program agreement with a Department of Education-approved CACFP sponsor;
- c. the provider shall attend a minimum of one sponsor-conducted training session per year;
- d. no more than six children shall be in attendance at the facility;
- e. the facility shall be inspected and approved in accordance with R.S. 46:1441. Inspection criteria shall be as follows:
 - i. matches, lighters and other sources of ignition shall be kept out of reach of children;
 - ii. portable electric heaters shall be of an approved type, shall be equipped with a tilt switch and shall be located away from combustibles;
 - iii. at least one smoke detector shall be properly installed, located and maintained;
 - iv. protective receptacle covers shall be installed in all areas occupied by children under five years of age;
 - v. every room used for sleeping, living, or dining purposes shall have at least two means of escape, at least one which is a door or stairway providing a means of unobstructed travel to the outside of the building. If the home has burglar bars, the burglar bars shall have either release latches or keys in the locks during all hours of child care. If the home has doors with dead bolt locks, the dead bolt locks shall have keys inserted in the locks during all hours of child care. If the home has jalousie windows which do not meet size requirements, the rooms shall not be used for sleeping during any hours of child care;
 - vi. stairways shall be maintained free of storage items;
 - vii. every closet door shall be designed to permit the opening of the locked door from inside the closet;

viii. every bathroom door lock must be designed to permit the opening of the locked door from the outside in an emergency. The opening device must be readily accessible;

ix. a properly charged portable fire extinguisher (minimum 2A) must be readily accessible;

x. the hot water heater shall be properly installed;

xi. the facility shall have adequate lighting and ventilation;

xii. unvented fuel-fired room heaters shall be used only in rooms in which a window is raised;

xiii. flammable liquids shall be properly stored;

xiv. combustibles shall be stored away from heating units or water heaters;

xv. wiring, fixtures and appliances in the facility shall be safe;

xvi. the facility shall have an adequate water supply and a working sewerage system;

xvii. the facility shall be clean and free of insect and rodent infestation;

xviii. garbage shall be disposed of properly; and

xix. the temperature of the refrigerator shall be maintained at or below 45°F. (A thermometer shall be left in the refrigerator for at least 10 minutes to achieve an accurate reading); and

f. The facility inspection as referenced in §944.3.e above shall be conducted annually. However, facilities which are complying with applicable procedures to renew registration may participate in the CACFP during the renewal process unless the Department of Education has information which indicates that renewal will be denied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1441.4(b).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 19:1549 (December 1993).

§945. State Plan for Drug-Free Schools

A. The Drug-Free Schools and Communities State Application is an application for federal financial assistance under Part B of the Drug-Free Schools and Communities Act of 1986. This application covers programs to be funded from federal fiscal year 1990, 1991, and 1992 appropriations and becomes the State Plan for the Drug-Free Schools and Communities Program which provides guidelines for implementation of the program.

B. The objectives of this program are to address the needs of high-risk youth by providing programs of coordinated services such as teaching parents how to develop intervention strategies; teaching youth how to develop prevention strategies; training drug prevention peer leader teams; training church leaders (counselors, pastors, and youth directors) how to address drug prevention,

intervention and counseling; training school personnel in youth suicide prevention methods; training youth to develop positive attitudes toward life, work and self (develop skills that promote self and positive social development); training parents and youth how to develop positive communications skills designed to reduce negative peer pressure; disseminating drug abuse information in the minority community; and providing technical assistance to enable other groups to attain drug prevention goals.

AUTHORITY NOTE: Promulgated in accordance with P.L. 99-570, as amended by P.L. 100-297 and P.L. 100-690, 21:USCA 801 as amended by 21:USCA 2701 and 21:USCA 1501.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:767 (September 1990).

Subchapter C. Nonpublic Regulations (Other than in Bulletin 741)

§951. Listing in School Directory; Student Attendance Reports; Issuance of Diplomas; Bus Transportation

A. Listing in School Directory. If a nonpublic school does not submit an annual school report, it shall not be listed in the Louisiana School Directory. Schools ineligible for public funds under the Brumfield vs. Dodd decision shall be so listed in the directory and be noted as ineligible by the use of an asterisk. Approval categories shall be listed as: approved, provisional, probational, or unapproved.

B. Student Attendance Reports

1. All private and denominational or parochial schools which receive public funds shall submit to the Department of Education student attendance reports as required by state law.

2. The provisions of this Section shall not apply to schools which receive no local, state or federal funds or support, directly or indirectly, and in which neither students nor their parents are recipients or beneficiaries of any local, state, or federal education program or assistance. However, such schools shall be required to report to the Department of Education their total attendance as of the 30th day of their school term or session.

C. Issuance of Diplomas. The state superintendent shall issue diplomas to graduates of private schools when requested by the proper officials.

D. Bus Transportation. After state board approval of nonpublic school based on approval standards, children in these schools are entitled to the same privileges and rights as any other child attending school in the state. In the absence of nonpublic school approval standards, bus transportation cannot be discontinued to children in nonpublic schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(11); R.S. 17:22 (2); R.S. 17:158; R.S. 17:232; AG. OP. 77-479.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:179 (April 1977), amended LR 5:383 (December 1979), LR 16:297 (April 1990).

§952. Internship Program for Nonpublic School Administrators

A. Internship Program for Nonpublic School Administrators

1. Nonpublic school administrators who are eligible for a provisional elementary/secondary school principalship endorsement (Bulletin 746) shall be allowed to participate in a 2-year administrative internship program under the auspices of a regionally accredited college or university. This college or university program shall be the equivalent to the State Administrative Leadership Academy and Project LEAD.

2. Upon successful completion of the college or university administrative internship program, nonpublic school administrators will be eligible for elementary/secondary principal endorsement that will be added to the standard Type A certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17(7).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 21:167 (February 1995).

§953. Home Study Regulations

A. Definition. A home study plan for the purposes of these guidelines is a program in which an approved curriculum can be implemented under the direction and control of a parent or a tutor (i.e. court appointed guardian under Louisiana law).

B. Eligibility. Any child eligible by Louisiana law to attend Louisiana elementary and secondary schools shall be eligible to participate in a home study plan. The home study plan does not replace the provisions of the state homebound law.

C. Application Process

1. Initial Application

a. An initial application must be made within 15 days after the beginning of the program to the Department of Education for review and recommendation to the Board of Elementary and Secondary Education.

b. The initial application shall be accompanied by a certified copy or a photocopy of the birth certificate of the child.

2. Renewal Application

a. A renewal application must be made by the first of October of the school year, or within 12 months of the approval of the initial application, whichever is later.

b. A renewal application, after the 1984-1985 school year, shall be approved if parents submit to the Board of Elementary and Secondary Education satisfactory evidence that the program offered a sustained curriculum of a quality at least equal to that of public schools at the same grade level.

3. Initial and renewal applications shall be approved at the discretion of the state board.

D. Instructor. A parent or tutor (court appointed guardian under Louisiana law) may be permitted to provide instruction in a home study plan.

E. Curriculum

1. The home study program shall have a sustained curriculum of a quality at least equal to that offered by public schools at the same grade level. The sustained curriculum must be substantiated in one of the following ways:

a. a packet of materials which shall include such documents as: a complete outline of each of the subjects taught during the previous year; lists of books/materials used; copies of the student's work; copies of the student's standardized test results; statements by third parties who have observed the child's progress; any other evidence of the quality of the program being offered;

b. verification that the child took the State Louisiana Educational Assessment Program Tests and scored at or above the state performance standards as established by the Board of Elementary and Secondary Education for his/her grade level;

c. verification that the child has taken the California Achievement Test (CAT) or such other standardized examinations as may be approved by the state board, including but not limited to tests approved for the Nonpublic School Testing Program, and the child has scored at or above his/her grade level for each year in home study; or

d. a statement from a teacher certified to teach at the child's grade level stating that the teacher has examined the program being offered and that in his/her professional opinion this child is being taught in accordance with a sustained curriculum of quality at least equal to that offered by public schools at the grade level, or in the case of children with mental or physical disabilities, at least equal to that offered by public schools to children with similar disabilities. The teacher evaluation is subject to review and approval of the Board of Elementary and Secondary Education.

2. In order to receive a Louisiana State equivalency diploma, the student must pass the General Educational Development (GED) test. Completion of a home study program does not entitle the student to a regular high school diploma.

F. Testing. A parent of a child in home study may request of the city/parish superintendent or the state superintendent, that the child be administered the state Basic Skills Test or Louisiana State Assessment Test under the following conditions.

1. Date of the test shall be in May and September and on such other dates as determined by the city/parish superintendents or state superintendent.

2. A fee covering actual costs of administering, scoring, and reporting the results of the test of up to \$35 may be charged.

3. The examination shall be administered with the same instructions and under similar conditions as provided to children enrolled in public schools.

4. A certified teacher administering the test shall properly provide the parent a statement indicating the child's score and whether he/she passed the examination by meeting the state performance standard on the state Basic Skills Test or the established performance standard on the Louisiana State Assessment Test.

G Provisions for Admission or Readmission to the same Public School System

1. The local public school system shall have a written policy included in the local Pupil Progression Plan for admission or readmission of home study students to public schools.

a. The policy will provide for the screening and evaluation of such students and shall include examinations to determine the grade level at which students should be admitted.

b. The policy shall include the administration of the Louisiana Educational Assessment Program Tests for the grades offered by the state. Copies of the test will be provided by the Department of Education.

2. At the grade levels in which state-level tests are not available, the local school system will submit for Department of Education approval the examination instrument which measures the state adopted grade level standards. These instruments may include any one of the following:

a. locally developed systemwide criterion-referenced test;

b. locally adopted commercial criterion-referenced test; or

c. locally adopted commercial norm-referenced test.

3. Other screening and evaluation instruments or procedures to be applied in the grade level placement decision must be detailed and submitted for Department of Education approval.

H. Due Process. The due process procedures for resolution of disagreements at the local level pertaining to the application and reauthorization of the home study plan shall follow the procedures established by the Board of Elementary and Secondary Education.

I. Costs. All reasonable costs directly attributed to the home study program shall be borne by the parents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(8); R.S. 17:236-236.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:407 (August 1981), amended LR 8:277 (June 1982), LR 9:60 (February 1983), LR 10:997 (December 1984), LR 16:297 (April 1990).

EDUCATION

§955. Montessori Schools

A. Minimum Standards and Procedures for Approval of Montessori Training Courses are adopted.

1. Approval of Training Courses

a. The Montessori Training course must accept students without regard to race, creed, or national origin.

b. The course, at a minimum, must include the following:

- i. required reading of Dr. Montessori's works;
 - ii. Montessori philosophy and theory;
 - iii. child development;
 - iv. practical life;
 - v. sensorial materials;
 - vi. cultural subjects;
 - vii. academic subjects;
 - viii. twenty hours of observation of a Montessori class; and
 - ix. supervised practice sessions with Montessori apparatus.
- c. The Montessori training course staff must have Montessori certification and five years Montessori classroom experience.
- d. Students must pass both a written and a practical examination.
- e. Students must have worked on training requirements for a minimum of one academic school year.
- f. It is desirable for the Montessori training course to have university affiliation.

g. The petitioner's request for approval must be submitted in writing to the president of the Louisiana Montessori Association and to the Department of Education, Bureau of Higher Education and Teacher Certification.

h. The LMA president shall acknowledge receipt in writing within two weeks and ask that detailed description of Montessori Training Course, including faculty, location, the curriculum, and any pertinent requirements be sent to the LMA. Included with the above acknowledgement shall be a copy of Act 400 1982 and "Standards for Approval of Louisiana Montessori School."

i. The LMA president shall notify the LMA Training Approval Committee of the application and send a description of the Montessori Training Course to all committee members. The LMA President will submit a list of committee members and all applicable information to the Department of Education, Bureau of Higher Education and Teacher Certification.

j. The committee will review the information and make a decision for approval or denial to president of LMA within two weeks.

k. The committee's approval or denial shall be brought before the general membership and their recommendation voted on within three months.

1. Notification of LMA approval or denial shall be sent to the Department of Education, Bureau of Higher Education and Teacher Certification within two weeks of the LMA decision, and reason for denial, if applicable. The Department of Education will review the LMA's decision and make recommendations to BESE for approval or denial and notify the petitioner.

B. Classification Categories. Classification categories for Montessori Schools are as follows.

1. Approved. The school meets standards of Board of Elementary and Secondary Education established for a Montessori School.

2. Provisional Approval. The school has one or more of the following deviations from standards:

a. lack of at least one Type A Montessori certified teacher provided that the school has a Type B certified Montessori teacher earning at least six hours per year toward a bachelor's degree;

b. an inadequate amount of proper Montessori instructional materials and equipment; and

c. junior school: lack of a teacher who possesses a bachelor's degree and is certified in Montessori for the age level in which he serves, provided that such teacher is working toward Montessori junior certification.

3. Probational Approval. The school has one or more of the following deviations from standards:

a. school does not have at least a Type B certified Montessori teacher earning six semester hours toward a bachelor's degree;

b. lack of a certified Montessori teacher in each class;

c. lack of teacher or teacher aide with a bachelor's degree in each class;

d. inadequate provision of indoor and/or outdoor space per child; and

e. junior school and class: school does not have a teacher possessing a bachelor's degree working toward Montessori certification.

4. Unapproved

a. Any school that has not previously attained an approved classification and fails to comply with Board of Elementary and Secondary Education standards.

b. A Probationally Approved school that has not corrected the stated deficiencies within the time fixed by the Board of Elementary and Secondary Education.

C. Teacher Certification. Procedures for Louisiana Montessori teacher certification are: Louisiana nonpublic Montessori teachers will be certified and issued Louisiana Montessori teaching certificates by the Department of Education according to the following procedures.

1. The Louisiana Montessori Association or its successor shall submit to the Department of Education a list of prospective recipients of Louisiana Montessori teaching certificates along with recommended type of certificate to be issued.

a. Accompanying the aforementioned list, the Louisiana Montessori Association shall submit a copy of a Montessori diploma indicating completion of a Montessori course of study from one of the following:

- i. American Montessori Society;
- ii. Association Montessori Internationale;
- iii. St. Nicholas Training Course of London;
- iv. the Montessori World Education Institute;
- v. Montessori Institute of America; or
- vi. Southwestern Montessori Training Institute, or any other training course jointly approved by the Louisiana Montessori Association and the Board of Elementary and Secondary Education.

b. An official college transcript indicating a bachelor's degree must accompany applications for Type "A," Junior, and Junior Class A certification.

c. A letter from the administrative head of a Montessori school to the Louisiana Montessori Association verifying one year of successful teaching experience is needed for those seeking Type "A," "B," and Junior Class A certificates.

2. The types of Louisiana Montessori teaching certificates that are issued are as follows.

a. Type "A" Montessori Teaching Certificate. A type "A" Montessori teacher shall have completed training from one of the following:

- i. American Montessori Society;
- ii. Association Montessori Internationale;
- iii. St. Nicholas Training Course of London;
- iv. the Montessori World Education Institute, or any other training course jointly approved by the Louisiana Montessori Association and the Board of Elementary and Secondary Education; plus a bachelor's degree from a regionally accredited college or university and one year of successful teaching experience in a Montessori school;

- v. Montessori Institute of America; or
- vi. Southwestern Montessori Training Institute.

b. Type "B" Montessori Teaching Certificate. A type "B" Montessori teacher shall have completed training from one of the following:

- i. American Montessori Society;
- ii. Association Montessori Internationale;
- iii. St. Nicholas Training Course of London;
- iv. the Montessori World Education Institute, or any other training course jointly approved by the Louisiana Montessori Association and the Board of Elementary and Secondary Education; plus one year of successful teaching experience in a Montessori school;

- v. Montessori Institute of America; or
- vi. Southwestern Montessori Training Institute.

c. Type "C" Montessori Teaching Certificate. A type "C" Montessori teacher shall have completed training from one of the following:

- i. American Montessori Society;
- ii. Association Montessori Internationale;
- iii. St. Nicholas Training Course of London; or
- iv. the Montessori World Education Institute, or any other training course jointly approved by the Louisiana Montessori Association and the Board of Elementary and Secondary Education.

3. All teacher aides who have earned a bachelor's degree must have an official college transcript on file in the school's office to be available upon request of the visiting committee.

4. A teacher who teaches a junior class shall have Montessori certification for the age levels she teaches and a baccalaureate degree.

D. School Approval Procedures. Any Montessori school seeking review by the Department of Education approval by the Board of Elementary and Secondary Education must follow these procedures.

1. Application for approval shall be submitted on a Montessori Annual School Report form prescribed by the Department of Education.

2. One copy of the form shall be sent to the Louisiana Montessori Association, one copy submitted to the Department of Education, Bureau of Elementary Education, and one copy kept on file in the school office.

3. A letter requesting an initial approval visit should be sent to the Louisiana Montessori Association and the Department of Education.

4. The form will be analyzed by both the Louisiana Montessori Association and the Department of Education.

EDUCATION

5. After ascertaining that the school has met standards according to the written report, a visiting committee consisting of a minimum of five members (at least four Montessori teachers selected by the Louisiana Montessori Association and one Department of Education staff member) will be assigned to make an initial approval visit.

6. Montessori teachers shall serve on the visiting committee without compensation or reimbursement of expenses by the Department of Education.

7. After visitation by the committee, the school will be notified in writing of the recommendation made by the committee to the Department of Education for further recommendation to the Board of Elementary and Secondary Education for assignment of a classification category.

8. A school denied approval by the Board of Elementary and Secondary Education shall be entitled to an appeal.

9. No hearing shall be granted unless a written appeal is received by the Board of Elementary and Secondary Education within 30 days of the date of denial.

10. For continued state approval, Montessori schools shall submit a Montessori Annual School Report to the Louisiana Montessori Association and to the Department of Education, Bureau of Elementary Education for analysis and recommendation of a classification category to the Board of Elementary and Secondary Education.

E. Staff Requirements. Instructional staff requirements are as follows.

1. Each school shall have at least one Type "A" certified Montessori teacher.

2. Each class shall have at least one Louisiana state certified Montessori teacher.

3. Each class shall have a teacher or teacher aide possessing a bachelor's degree.

F. Plant and Facilities. Physical plant and facilities requirements are as follows.

1. The physical plant must comply with state and local fire and health regulations and with applicable building codes. It shall be free of health and safety hazards.

2. The school shall be attractive, cheerful, orderly, clean, and in good repair to evoke in the children a positive response to beauty and to life and to satisfy their need for order.

3. Indoor Requirements

a. Low child-accessible shelving shall be in neutral or light colors for placement of materials with adequate space for placement without crowding. Instructional materials of the same general classification should be placed together.

b. Walls shall be light or neutral colors to emphasize adequately the materials.

c. Lightweight, movable, child-sized furniture (tables, chairs) shall be available.

d. There shall be special places for each child's personal belongings and school work.

e. Flooring of a type that can be kept clean and safe shall be installed.

f. Rugs and mats shall be available and accessible to the children and there shall be an orderly place for their storage.

g. Adequate lighting (160 watts fluorescent for every 100 square feet of floor space is recommended) shall be in place.

h. Thirty square feet of working space per child or 35 square feet per child or total usable facilities shall be available to allow each child to move freely without interrupting the activities of others.

i. The environment shall be prepared, arranged, and equipped to structure the child's free movement and responsibility.

j. Child-accessible toilet and hand washing facilities adequate for the number of children shall be available.

4. Outdoor Requirements

a. Seventy-five square feet of outdoor space shall be available for each child in the group at any one time.

b. Outdoor space shall be easily accessible, safe, and protected and shall be fenced.

c. Outdoor equipment shall be safe and provide adequate opportunities for a variety of large muscle activities.

d. The outdoor area shall be pleasant and attractive with some gardening opportunities available.

G. Programs and Materials. Instructional program and materials requirements are:

1. Montessori junior school begins at 6 years of age and continues through the age of 14 years, approximately. Thus, the junior school encompasses the child's learning experiences from kindergarten to high school.

2. Freedom with responsibility leading to independent self-direction shall be a basic consideration of the school's instructional program.

3. The school shall be attractive, cheerful, orderly, clean, and in good repair to evoke in the children a positive response to beauty and to life, and to satisfy their need for order.

4. The school's instructional program shall incorporate the following types of activities:

a. language activities;

b. math activities;

c. cultural activities (geography, history, life science, art, music, dance, dramatics, construction, second language);

d. sensorial activities that sharpen the senses in preparation for accurate observation of the physical world; and

e. practical life activities that cultivate ability to care for self and environment.

5. The school must be equipped with Montessori materials in all basic areas, well maintained, and in good condition.

6. Instructional materials shall be self-teaching so that children can learn from them by self-discovery and voluntary repetition rather than by rote memorization of what someone tells them about the materials.

7. Children shall work independently once the materials are introduced.

8. The materials shall require active participation of the children so that the major part of their learning comes from concrete sensorial experience.

9. Materials shall reflect reality and nature so that children can organize their perceptions of the world accurately.

10. Instructional materials shall be open-ended so that it is possible for the children to learn more than one concept from each piece.

11. The materials shall isolate only one factor of difference to emphasize the particular attribute or concept.

12. The art materials shall be basically structured to allow children to create their own ideas after the teacher has initially demonstrated their use.

13. The Montessori materials shall be introduced sequentially.

14. The materials shall be attractive and of the best quality affordable to provide stimulation for new exploration or imagination.

15. They shall be clean, orderly, and in good repair.

16. The program shall provide annual standardized testing for Montessori junior students six years of age and above.

H. Scheduling. Scheduling requirements are as follows.

1. The academic school year shall be 180 days.

2. The class shall meet five days a week for approximately three hours a day or more to provide the necessary learning continuity.

3. Montessori junior classes of students six years of age and above shall meet a minimum of 180 days per year, five days a week, a minimum 28 hours per week, excluding lunch and recess.

I. Admissions and Enrollment. Admission policies and enrollment requirements are as follows.

1. All admissions in a Montessori school shall be open to all persons of all races, creeds, or colors.

2. Early enrollment shall be encouraged, starting between the age of 2 1/2 to 3 1/2 years or earlier, to take advantage of early sensitive periods of learning.

3. Placement at the primary or junior level shall be determined by the child's achievement and level of development.

4. The classrooms shall have, if possible, a mixed age group spanning at least three years so that the children will have a variety of models from which to learn.

5. Attendance through kindergarten age shall be encouraged for maximum benefit of the program.

J. Parent Interaction Requirements. The parents shall be allowed to observe the children at work.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3401-3403.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:241 (May 1977), amended LR 9:60 (February 1983), LR 9:411 (June 1983), LR 10:400 (May 1984), LR 14:789 (November 1988), LR 16:297 (April 1990).

Chapter 11. General Special Education Policies

§1101. Paraprofessional Training Units

A. Definition. A paraprofessional training unit is a setting that may be used for the self-help training (toilet training, dressing skills, grooming skills, feeding skills, and preacademic readiness activities) of severely and profoundly handicapped children or preschool children. A school-aged unit may be made up of no more than six paraprofessionals. A preschool unit may be made up of no more than four paraprofessionals. All units must be supervised directly by a certified special education teacher. Each paraprofessional must have a full quota of students (three) before an additional paraprofessional can be added to the unit. A paraprofessional training unit must be approved by the Office of Special Educational Services in the Department of Education in accordance with the school approval process.

B. Utilization. A paraprofessional training unit may be utilized with the types of handicapped students indicated in Bulletin 1706, Appendix I, Part B.

C. Criteria for the Operation of a Paraprofessional Training Unit. The following administrative criteria for the operation of a paraprofessional training unit are approved.

1. The unit teacher has completed a teacher training program, as specified in Bulletin 746, Louisiana Standards for State Certification of School Personnel, for the area of exceptionality/ies served.

EDUCATION

2. The unit teacher has a minimum of one year prior experience in supervising a classroom aide.

3. Each student served in the PTU has a current IEP placement that verifies that the Paraprofessional Training Unit (PTU) is the least restrictive environment for the student and that the student is currently in that placement.

4. The PTU aides have completed training in the Louisiana Education Paraprofessional Training Curriculum, are currently involved in the training, or will be trained prior to the end of the school year.

5. Teacher/paraprofessional/student ratios, as specified in Bulletin 1706, are followed.

D. Procedures for Approval of a Paraprofessional Training Unit. The following procedures are to be followed for administrative approval of a paraprofessional training unit.

1. PTU applications will be submitted as part of the Minimum Foundation Program (MFP) Report Equalization Data Report.

2. PTU's will be approved through the school approval process.

3. PTU program description(s) will be included in the LEA's EHA-B Application.

4. PTU School Approval and MFP information will be verified annually through regional coordinators' and/or administrative on-site review.

5. Any over-employment of PTU aides will be adjusted in the final MFP allotment payment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:1941; R.S. 17:1944; R.S. 17:1947.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:69 (March 1981), amended LR 7:625 (December 1981), LR 7:626 (December 1981), LR 8:644 (December 1982), LR 16:297 (April 1990).

§1103. Guidelines for Act 728 (1979): Tri-Party Agreements

A. Purpose

1. To establish the basis for providing for special education and, where necessary, related services as specified in the Individualized Education Program for exceptional children not receiving direct services from the local city or parish school board, but in an approved nonpublic special day school.

2. These children are identified exceptional children (ages 3-21 placed by a public agency in an approved nonpublic special day school) prior to or during the 1978-79 school year. Such children received special education and related services during the 1978-79 school year from an approved nonpublic special day school because the local educational agency did not provide direct services to these children and no action under Section C of Act 728 (1979) will be taken.

B. Responsibilities of the Department of Education

1. The Department of Education together with the city/parish school boards, in order to assure full educational opportunities to all exceptional children, may contract, with board approval, with approved nonpublic special schools and local city/parish school boards to provide special educational services to meet the needs of exceptional children in accordance with Title 17 of Louisiana Revised Statutes of 1950.

2. The Department of Education shall act as the fiscal agent and will advance funds to the approved nonpublic special day school for the first three months of operation and the remaining payments will be issued monthly on a cost-reimbursement basis, the total of which will not exceed the amount specified in a contract.

3. The Department of Education shall monitor the expenditures by conducting annual on-site visits and shall have the right to audit the fiscal and programmatic records of the approved nonpublic special day school to determine if expenditures have been made on special education programs and services to be provided in accordance with an agreement.

4. The Department of Education reserves the authority to assess the cost and programmatic effectiveness of the services offered by the approved nonpublic special day school through the utilization of a third party evaluator.

C. Responsibilities of the City/Parish School Board.

1. Responsibilities of the city/parish school board include but are not limited to:

a. establishing and maintaining a current student enrollment of exceptional children placed in approved nonpublic special day schools;

b. providing for current multidisciplinary evaluation of exceptional children according to the requirements of Bulletin 1508;

c. developing, annually reviewing, and revising the Individualized Education Program according to Bulletin 1706;

d. annually reviewing placement;

e. meeting with the approved nonpublic special day school in an Individualized Education Program review and placement meeting where:

i. an exceptional student is withdrawn by the parent from the approved nonpublic special day school;

ii. the approved nonpublic special day school chooses not to provide further services to the student, or

iii. the student completes the program offered by the approved nonpublic special day school.

f. monitoring and evaluating the services provided by the approved nonpublic special day schools under the contract to ensure they meet federal and state regulations;

monitoring to be done at least twice a year with reports maintained for compliance review by the Department of Education;

g. assuring the exceptional student has all the procedural safeguards established by Bulletin 1706; and

h. providing for transportation costs if such costs are not included in the budget of the approved nonpublic special day school.

2. The city/parish school board must agree to work cooperatively with the approved nonpublic special day school and the Department of Education to implement the requirements of the contract.

D. Responsibilities of the Approved Nonpublic Special Day School

1. The approved nonpublic special day school shall provide special education and, where necessary, related services as specified on an Individualized Education Program to exceptional students on a five-day week basis for a full instructional day in approved facilities meeting all necessary state and local health, fire, and safety standards established in Bulletin 741.

2. The program provided by the approved nonpublic special day school shall be for the regular school year, as specified in the Individualized Education Program.

3. The approved nonpublic special day school shall submit to the Department of Education the billing and student enrollment form on a monthly basis.

4. Photocopies of the monthly reimbursement billing forms shall be furnished to the city/parish school board for their records.

5. Personnel in the approved nonpublic special day school shall meet certification requirements of the Board of Elementary and Secondary Education.

6. The approved nonpublic special day school shall provide information and access to records required by the third party evaluator employed by the Department of Education or city/parish school board.

7. The approved nonpublic special day school shall be approved special school under Bulletin 741 adopted by the Board of Elementary and Secondary Education, and be approved by the Department of Education as being in compliance with the *Brumfield vs. Dodd* decision of 1975.

8. The approved nonpublic special day school shall:

a. conduct the annual review and update of the Individualized Education Program and placement with the city/parish school board at a time and place agreeable to all parties;

b. refer all enrolled exceptional children who have a current evaluation which will be two years or older at the end of the school contract year to the supervisor of special education of the placing city/parish school board;

c. provide the parent or guardian and the city/parish school board at regularly established periods of six/nine weeks, a performance report on the program being provided to the exceptional student; and

d. meet with city/parish school board in an individualized education program review and placement meeting when:

i. an exceptional student is withdrawn by the parent from the approved nonpublic special school;

ii. the approved nonpublic special day school chooses not to provide further services to the student; and/or

iii. the student completes the program offered by the approved nonpublic special day school; and

e. notify the Department of Education and the city/parish school board of the names of all students dropped from the program during the period of the program operation within 20 days of such deletion, and the reason for such deletion.

9. The approved nonpublic special day school shall submit an evaluation report to the Department of Education within 60 days of the termination of the program.

E. Method of Reimbursement

1. The Department of Education may provide funds to the approved nonpublic special day school, which funds shall be taken from the appropriation of state funds authorized by the Louisiana Legislature. The funds provided under this agreement shall not be used for any other purpose other than that described.

2. This funding shall be for special educational services for exceptional children based on an average monthly rate per child, not to exceed the total contract amount. No reimbursement for services will be made for students not in attendance for 20 operational days without written medical explanation attached to the appropriate billing submitted to the Department of Education.

3. Any amendment to approved contracts shall have prior written approval of all parties.

4. Payments to the nonpublic special day schools shall be made upon approval of contracts by the required state officials.

5. The funding period shall be a fiscal year beginning July 1 and ending June 30. Any outstanding balance remaining on June 30, must be encumbered in accordance with state law. Funds shall be available through July 8, to honor reimbursement request for the normal operating expenses of the program provided they were encumbered on June 30. All funds must be liquidated prior to June 30. The Louisiana legislative auditor shall have the option to audit program expenditures at any time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:1946 (C) (F) (E) (F).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 6:257 (June 1980), amended LR 16:297 (April 1990).

Chapter 13. Board Special Schools and Special School District No. 1

§1301. Purposes and Supervision

A. Purpose of Board Special Schools

1. The board special schools (Louisiana School for the Deaf, Louisiana School for the Visually Impaired, and Louisiana Special Education Center) are state-operated schools, providing educational programs and services for residential and/or day students, administered by the Department of Education and under the supervision and control of the Board of Elementary and Secondary Education.

2. Board special schools are designated to provide a free appropriate public education for low incidence handicapped children who meet the admission criteria (i.e. deaf, blind, orthopedically handicapped) for each such special school and who are enrolled in such special school.

3. The state superintendent of education with the approval of the Board of Elementary and Secondary Education shall appoint a special school superintendent to serve as the chief school officer at each school. The special school superintendents shall report to the superintendent of Special School District No. 1.

B. Purpose of Special School District No. 1

1. Special School District No. 1 is to function as an intermediate educational unit of the state of Louisiana.

2. Special School District No. 1 is to provide a free appropriate public education for children, as provided by state and federal law, who have been admitted to and are enrolled in state operated programs for treatment, habilitation, and care. During this period of service, Special School District No. 1 assumes responsibility for special education on an individual basis for each child and assures that the child receives an uninterrupted program of special education and related services from admission to discharge.

3. The overall administrative organization of Special School District No. 1 consists of a governing board which is the Board of Elementary and Second Education, a chief state school officer who is the state superintendent of education, and a superintendent of the district appointed by the state superintendent of education with approval of the state board.

C. Chief School Officers and Special School District Superintendent

1. Duties

a. The superintendent of a board special school or of Special School No. 1 is its chief school officer and serves as a professional advisor to the Board of Elementary and Secondary Education. Administrative and professional leadership emanates from this position for the effective

delivery of services in accordance with the mission of the school or the school district.

b. At this level the goals and objectives of the school or the district originate, and leadership is provided for the implementation of programs. In order to achieve the school or district objectives, the superintendent or chief school officer coordinates, assigns, plans, trains, and evaluates the services offered. More specifically, the responsibilities of the chief school officers are:

i. to provide professional administrative leadership in implementing the policies and directives of the Board of Elementary and Secondary Education in conjunction with mandates from the state and federal governments;

ii. to recommend for the board special school, or Special School District No. 1, the appointment of such officers and employees as deemed necessary and proper; to prescribe their duties; and to fix their terms of employment and compensation;

iii. to provide the most efficient and economical administrative and support services possible to the various educational programs and operating functions of the board special school or special school district; and

iv. to keep the Board of Elementary and Secondary Education informed about the board special school or Special School District No. 1 operations, including new or expanded programs.

2. Designation of Authority and Responsibility

a. Each board special school or Special School District No. 1 superintendent is responsible for the overall management, including the day-to-day operation, of the special school or special school district in accordance with appropriate legislation, rules, regulations, and board policies.

b. In the absence of specific policy, each board special school superintendent or Special School District No. 1 superintendent, is authorized to act in the best interest of the students served, and in the best interests of the board special school, Special School District No. 1, the Board of Elementary and Secondary Education, and the state of Louisiana.

c. Each board special school superintendent or Special School District No. 1 superintendent, shall periodically inform the board of areas in which policy development is needed.

3. Development and Maintenance of School and District Procedures

a. Policies existing in other sections of this Code for elementary and secondary education and/or vocational-technical education, and/or Acts of the Legislature, Executive Orders, Division of Administration guidelines, rules, bulletins, and regulations approved by the board are applicable to board special schools and Special School District No. 1 where appropriate.

b. Each board special school superintendent and Special School District No. 1 superintendent is responsible for the development and maintenance of operating manuals specifying actions and arrangements for day-to-day management and operation of each respective board special school and Special School District No. 1. The operating manuals must be approved by the board.

c. All board special schools and Special School District No. 1 operational procedures must be consistent with board policies and all applicable state and federal mandates.

d. Each board special school and Special School District No. 1 superintendent is responsible for approving and issuing each school's and special school district's operational procedures and for disseminating them through each school's and special school district's operating manual.

e. Each board special school and Special School District No. 1 is to develop and maintain operational procedures regarding those endeavors which affect the areas of educational programs and activities, health, safety, welfare, fiscal operations, legal responsibilities, interagency coordination, and any such areas required by appropriate statute, regulation, rule, and/or policy. They include, but are not limited to:

- i. educational/social/recreational activities;
- ii. student rights and responsibilities;
- iii. parental rights and responsibilities;
- iv. child care activities;
- v. safety/emergency procedures;
- vi. facilities, equipment, and materials management;
- vii. personnel management;
- viii. purchasing and accounting;
- ix. records management;
- x. school/community relations; and
- xi. interagency/intradepartmental agreements.

D. General Supervision of Board Special Schools. The board delegates to the Department of Education the supervision of the special schools according to policies prescribed by the board.

E. Implementation of State Board Policy. The superintendent of each board special school and of Special School District No. 1 is charged with the responsibility of implementing board policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4.1; R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:1943(D); R.S. 17:1951.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

§1303. Common Operational Matters

A. Donations of Gifts and Monies

1. Donations of monies and gifts to a board special school or to Special School District No. 1 appropriate to the students and/or programs may be accepted by the board special schools or Special School District No. 1 superintendent. These donations are either restricted or unrestricted gifts which are managed in accordance with the following.

a. Restricted gifts are those donations of monies or material goods designated for a specific purpose by the donor. Donations of monies or material goods with a designated purpose are managed through the board special school or Special School District No. 1 superintendent's office. Approval of acceptance of such gifts in consideration of the current needs of the students, various programs of the school and special school district, and the nature of the gift may be granted by the superintendent.

b. Unrestricted gifts are those donations of monies or material goods donated for which no specific purpose is designated by the donor.

i. Cash donations received without a designated purpose are managed through the board special school or Special School District No. 1 superintendent's office. Upon notification/receipt of undesignated cash donations, the board special school and Special School District No. 1 superintendent will consider the amount of the donation, the current needs of the students, various programs of the school and special school district and make a recommendation to the Board of Elementary and Secondary Education for use of the donations. Generally priority consideration will be given to those needs for which no budgeted funds are available.

ii. Donations of material goods without a designated purpose will also be managed through the board special school or special school district superintendent's office. Upon notification/receipt of undesignated material goods donations, the board special school superintendent, or the Special School District No. 1 superintendent, will consider the donation, current needs of the students, various programs of the schools or the district, the nature of the gift, and make a recommendation to the Board of Elementary and Secondary Education for use of the donations.

2. All gifts of monies are to be deposited in the appropriate account after approval of use by the Board of Elementary and Secondary Education.

3. All nonconsumable material goods gifts should be included on the appropriate board special school or Special School District No. 1 inventory in accordance with state property control procedures.

4. All gifts to a board special school and to Special School District No. 1 are to be officially acknowledged by each superintendent, or designee, and a record of gifts is to be maintained by the special school and Special School District No. 1.

EDUCATION

B. Calendars

1. Each board special school and the Special School District No. 1 superintendent shall establish and submit for board approval an annual school calendar which meets minimum requirements for student instructional days and for teacher work days.

2. The school year for Special School District No. 1 shall be July 1 through June 30 and shall consist of no less than 225 student instructional days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4.1; R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:1941.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

§1305. Operational Matters Affecting Board Special School Only

A. Admission and Release

1. Each board special school shall develop and maintain operational procedures concerning the admission of students which incorporate the following eligibility requirements for educational services:

- a. may be between 0 and 21 years of age, inclusive;
- b. for residential placement, may be between 3 and 21 years of age, inclusive;
- c. as permitted by appropriate statute, may be at extended ages for appropriate services;
- d. must be a resident of Louisiana;
- e. must benefit from the educational program offered;
- f. must possess a primary handicapping condition germane to the services of the board special school;
- g. must possess a current interdisciplinary evaluation; and
- h. must have an Individualized Education Program.

2. Each board special school shall develop and maintain operational procedures concerning the release of students which incorporate the following circumstances warranting a release from a board special school:

- a. when a student has completed the course of study leading to a diploma or certificate;
- b. when a student has reached his/her 22nd birthday by the completion of the current school session or an age extension is granted by law; unless:
 - i. the admissions and release committee of the board special school determines that the needs of the student are appropriate to continued educational services, in accordance with eligibility requirements stated above for educational services; and
 - ii. the board special school superintendent authorizes an additional period of service to the student

which includes cooperative inter-agency or postgraduate services.

c. when a change in educational placement is determined to be in the student's best interest by his/her Individualized Education Program Committee;

d. when a student is referred/released to another appropriate service agency through the Individualized Education Program/Placement process;

e. when parents or guardians withdraw formal parental approval for placement;

f. when a suspension or an expulsion is determined to be in the best interest of the student and/or the board special school in accordance with appropriate due process to preserve and maintain discipline and/or to protect life and property as long as causative actions/behaviors on the part of the student are not a resulting symptom or consequence of a student's handicapping condition;

g. in the event of an emergency situation, the board special school superintendent is authorized to take appropriate and prudent action to protect life and property with due regard to a student's right of due process.

3. Each board special school shall develop and maintain operational procedures by which due process safeguards are provided to students and parents in accordance with applicable state and federal laws and regulations.

B. Involvement of Local Education Agencies in the Education of Students at Board Special School

1. The sending local education agency is to document the need for educating a student in the board special school with supporting information that:

a. the proposed educational placement at a board special school in a residential/day program is the least restrictive environment for the student. The least restrictive environment will be that program which possesses the resources to most adequately and appropriately meet the student's educational and psychosocial needs; and

b. the local education agency cannot make reasonable accommodations for the low incidence handicapping condition and the student's needs in its exiting programs.

2. The documents and supporting information must be forwarded to both Special School District No. 1 for its review and agreement, and to the board special school in question for its review and agreement that the board special school has the most appropriate program for the student.

3. Prior to and during the admission consideration for educational placement or referral, the sending local education agency will be responsible for:

a. providing all screening data concerning the student;

- b. providing all prior evaluation data concerning the student;
 - c. performing or assuring the performance of any evaluations that are necessary;
 - d. obtaining necessary releases from parents;
 - e. arranging for the attendance of the parents and students for further evaluations as necessary by the board special school;
 - f. participating in the evaluation and the IEP conference with parents;
 - g. participating in placement discussions with parents;
 - h. obtaining necessary clearance(s) of the Department of Education (Special School District No. 1) for approval of out of district placement;
 - i. advising parents of due process rights, confidentiality regulations; etc.
4. Following admission, the local education agency is responsible for:
- a. attendance at Individualized Education Program conferences concerning release; and
 - b. transportation arrangements as determined by the condition of admission and where appropriate.

C. Least Restrictive Environment

1. The board special schools, as part of their educational programs, shall maintain full or part-time participation with local education agencies and other appropriate agencies through written cooperative agreements for student programmatic access in the following areas:
- a. academic/vocational subjects;
 - b. physical education/recreational activities;
 - c. inter and intramural/interscholastic athletics;
 - d. social and cultural activities;
 - e. transportation; and
 - f. health and counseling services.
2. Board special schools will make their facilities and programs available, through written cooperative agreements, to the local education agencies for specific activities of a specialty nature consistent with the unique offerings of the board special school.
3. Local education agencies shall enroll students currently enrolled in board special schools through written cooperative agreement for access to appropriate programs and services when the students are placed by the board special schools.

D. Statewide Resource Services

1. Each board special school, in recognition of its uniqueness and expertise in serving students with low incidence handicapping conditions, is designated as a specialized statewide resource center and may assist local education agencies in the provision of services or as requested by local education agencies.

2. Services may include, but not be limited to: student assessment, inservice training, curricular materials sharing, consultation, program design, development, and evaluation, etc.

3. In the delivery of statewide resource services, each board special school will consult and/or coordinate with the Department of Education.

E. Transportation

1. Home visit transportation costs for residential students will be paid by the state for a minimum of nine round trips per year at the rate of one trip home per month. Any trip(s) in excess of this shall be arranged between the board special school residential program and the sending local education agency according to the child's Individualized Education Program. Any transportation not arranged and listed in the Individualized Education Program will be borne by the parents.

2. The cost of daily transportation for commuter/day students will be the responsibility of the sending local education agency.

F. Use of Board Special School Facilities

1. Each board special school superintendent is to establish appropriate procedures for the use of board special school facilities by outside agencies, organizations, and/or groups. User groups are responsible for reimbursing the school for costs incurred, as appropriate; must provide proper supervision of its members/participants and must carry sufficient public liability insurance, when applicable, to protect all parties concerned, including the board special school.

2. In the utilization of board special school facilities, student use, school use, and school affiliated group use take priority over other group use of the facilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4.1; R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:348; R.S. 17:1941.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 17:625 (December 1981), amended LR 16:297 (April 1990).

§1307. Louisiana School for the Deaf

A. Operating Manual. The Louisiana School for the Deaf shall maintain a board-approved operating manual which includes specific procedures to fulfill all board policies and conduct of the day-to-day management of school operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4.1; R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:348; R.S. 17:1941.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

§1309. Louisiana School for the Visually Impaired

A. Operating Manual. The Louisiana School for the Visually Impaired shall maintain a board approved operating manual which includes specific procedures to fulfill all board policies and the conduct of the day-to-day management of the school operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4.1; R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:348; R.S. 17:1941.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

§1311. Louisiana Special Education Center

A. Operating Manual. The Louisiana Special Education Center shall maintain a board-approved operating manual which includes specific procedures to fulfill all board policies and the conduct of the day-to-day management of school operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:348; R.S. 17:1941.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

§1313. Special School District No. 1

A. Operating Manual. Special School District No. 1 shall maintain a board-approved operating manual which includes specific procedures to fulfill all board policies and the conduct of the day-to-day management of district operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:43; R.S. 17:1941; R.S. 17:1951.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:625 (December 1981), amended LR 16:297 (April 1990).

Chapter 15. Vocational and Vocational-Technical Education

Subchapter A. Vocational Education

§1501. General Policies

A. Vocational education is an integral part of the entire public school educational offering in the state, the parishes and the cities. As such, it should remain under the control of the Board of Elementary and Secondary Education and the parish and city school boards. Supervision shall be conducted by the Board of Elementary and Secondary Education through its administrative arm, the Department of Education. Vocational education in general should be provided for youths and adults regardless of whether or not they are in attendance in the regular public schools. Courses should be organized and offered whenever and wherever the needs arise, provided the needs are consistent with the state system of needs analysis and are congruent with economic and social growth directions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4; R.S. 17:6(A); R.S. 17:7(5); R.S. 17:10(A); R.S. 17:22(2); R.S. 17:1992; R.S. 17:2031-2036.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:541 (December 1975), amended LR 8:644 (December 1982), LR 16:297 (April 1990).

Subchapter B. Vocational-Technical Education

§1503. Purpose; Objectives

A. The purpose for vocational-technical education in the state of Louisiana is to serve the economic and social needs of all the citizens of the state, to upgrade the skills and educational base of the Louisiana worker and to actualize the unfulfilled potential of all Louisianians in order to produce an economically and socially progressive state and a better standard of living for all Louisianians.

B. Vocational-technical education shall be administered as an integral part of the school system. Offerings shall be coordinated in the vocational-technical system with postsecondary and high school vocational education programs in a systematic design to avoid unnecessary duplication of educational services, extra costs and capriciously instituted programs.

C. The objectives for the Louisiana vocational-technical education system shall be determined through a valid survey of various state populations in order to arrive at a set of objectives that are consistent with the wishes of the citizens of the state. The present focus is to prepare youths and adults with the necessary knowledge and skills for job competency and self-actualization. While educational programs are not designed to train for credit transfer purposes, all schools are expected to maintain educational standards which assure students the opportunity to acquire credit for their demonstrated knowledge and skills after proper testing and evaluation.

D. Offerings will be planned and evaluated through an educationally valid system of curricular analysis, economic and social shifts and needs and documented public demands. No policy shall be pursued which shall restrict training opportunities solely because there is no conclusive evidence that immediate job opportunities are available if there is valid evidence that openings will exist in that specific area.

E. Every effort shall be made to expand an educational program in a school/institute when there is a continuing waiting list of applicants seeking such educational training if it is based on valid study conclusions which indicate economic and social growth and application feasibility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4; R.S. 17:6(A); R.S. 17:7(5); R.S. 17:10(A); R.S. 17:1991-2007.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:541 (December 1975), LR 11:1137 (December 1985), LR 16:297 (April 1990).

§1505. Office of Vocational Education

A. The Department of Education, Office of Vocational Education shall supervise the vocational-technical institutes

of this state, which gives them the authority to inquire into the status of the institutes under the jurisdiction of the board.

B. Monthly attendance and quarterly placement reports shall be submitted to the Office of Vocational Education by the tenth day of each following month/quarter for the appropriate reporting period.

C. Equipment owned by vocational-technical institutes in the state and no longer needed at the institutes may be transferred in accordance with Board of Elementary and Secondary Education guidelines for the Department of Education, Office of Vocational Education, and those of Office of State Property Control.

D. The Department of Education, Office of Vocational Education, is authorized to review all donations to vocational schools and only questionable donations shall come to the board for approval.

E. In accordance with Act 674 (1987) used or obsolete instructional equipment may be sold or traded when purchasing new replacement equipment subject to prior board approval in compliance with state regulations for moveable property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (B); R.S. 39:330; R.S. 17:1992; R.S. 17:1993; R.S. 17:1995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 2:317 (October 1976), amended LR 16:297 (April 1990).

§1507. State Advisory Council

A. The Board of Elementary and Secondary Education, in accordance with the federal Vocational Education Act, names as its advisory body on vocational education, the State Council on Vocational Education.

B. Members of the State Council on Vocational Education are appointed by the Board of Elementary and Secondary Education and serve 1-year terms.

AUTHORITY NOTE: Promulgated in accordance with 20 USC 2322.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 16:297 (April 1990).

§1509. Regional Management System

A. The Board of Elementary and Secondary Education established the regional management system headed by a regional vocational-technical center director. The purpose of the regional management system is to administer institutes within the geographical jurisdiction assigned within policies and guidelines of the Board of Elementary and Secondary Education as administered by the Department of Education to assure fiscal responsibility for the institutes and to provide overall management of the region.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1994; R.S. 17:1995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:310 (July 1975), amended LR 13:84 (February 1987), LR 16:297 (April 1990).

§1511. Local Advisory Bodies

A. A separate advisory body shall be established for each postsecondary vocational-technical regional center, school/institute, and programmatic area. The advisory body shall have no administrative or legislative authority and shall not infringe on powers or prerogatives of the appointing board or regional center or school/institute administration.

1. Purpose. The purpose of the advisory body is to provide an association between the region school/institute, program and community through which activities may be coordinated and to counsel with, assist and advise the regional and school/institute authorities with respect to maintaining and improving vocational-technical education.

2. Structure, Function, and Definitions

a. Regional Center Advisory Council. An advisory body, with a maximum of 25 members, representative of employee, employer, educational and public interests and ethnic minorities shall be established. The regional center director shall serve as executive secretary of the council. Such body is established for the purpose of advising the regional center on:

- i. regional program offerings as related to regional needs;
- ii. facilities and equipment requirements;
- iii. educational and employment trends;
- iv. community relations; and
- v. management and labor relations.

b. School/Institute Advisory Committee. An advisory body of not less than five members or more than fifteen members, with the school/institute director serving as executive secretary, shall be established for the specific purpose of advising the school/institute director on:

- i. the types of programs needed to prepare students for entrance into specific occupations;
- ii. physical facilities and type of equipment necessary for programs;
- iii. job opportunities;
- iv. student recruiting for training and placement;
- v. educational and employment trends in business and industry;
- vi. management and labor relations;
- vii. program quality; and
- viii. community relations.

c. Local Craft Committee.

i. The term "craft" is not restrictive and refers to those identifiable job skills being taught in vocational-technical institutes. Members should be actively engaged in a craft associated with the committees. An advisory body, of not less than three members or more than nine members,

EDUCATION

shall be established for the specific purpose of advising school/institute authorities on:

- (a). relevancy of training;
 - (b). job opportunities;
 - (c). working conditions to be expected;
 - (d). rates of pay students can expect to receive;
 - (e). any other matters affecting those students being exposed to that particular craft; and
 - (f). curriculum design and content.
- ii. joint apprenticeship councils, where available, may serve as craft committees.

3. Membership

a. Appointing Authority. The state board shall appoint, upon recommendation of the regional center or school/institute director, the school/institute advisory committees. The school/institute director shall be the appointing authority for local craft committees.

b. Term of Membership. Terms of membership shall be for one year. Members may be reappointed by the appropriate appointing authority.

c. Qualifications. Members shall be people of the community interested and concerned with the pursuit of better occupational education for the citizens of Louisiana. It is recommended that one member of a regional center advisory council and of a school/institute advisory committee be a student either presently enrolled or a recent graduate of the vocational technical system. Members serve without pay. Travel expenses may be reimbursed by school/institute directors or regional center directors as appropriate and subject to budgetary limitations and state travel regulations.

4. Operations

a. Procedures. The procedures of advisory bodies should be developed locally. The State Council on Vocational Education will assist in developing procedures as requested by the regional/school/institute authority.

b. Officers. The officers shall be persons elected to the committee from the membership. The chairperson shall work closely with the region/school/institute, preside at meetings; appoint the subcommittees and represent the body in other groups. Minimum officers shall be a chairperson and a secretary.

c. Meetings. The number of meetings are determined locally as required. A minimum of two meetings per year shall be held annually.

d. Minutes. Minutes shall be kept of each meeting and distributed to the membership.

e. Reports. One brief annual report shall be submitted to the Board of Elementary and Secondary Education from regional center advisory councils.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (10); R.S. 17:1998; SCR 77 of 1974.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§1515. Commission on Occupational Education

A. All technical institutes under the jurisdiction of the Board of Elementary and Secondary Education are required to become affiliated with the Commission on Occupational Education or its successor and to work toward accreditation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (10); R.S. 17:10 (A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 16:297 (April 1990), LR 21:259 (March 1995).

§1517. Staffing

A. Department Head. The department head is an instructor designated by the vocational-technical director and approved by the Board of Elementary and Secondary Education to assume supervision of the postsecondary programmatic areas of agriculture; business; communications; consumer, personal, and miscellaneous services; engineering; health occupations; home economics; and trade and industrial which consists of four or more instructors.

B. Student Personnel Services Officer. Counseling services shall be provided through one full-time student personnel services officer for each 200 full-time equivalency enrollment.

C. ABE/GED Instructors. Each ABE/GED instructor working in a vocational-technical school/institute located in correctional facility must be certified as a regular classroom teacher with an adult education endorsement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (10); R.S. 17:7 (6); R.S. 17:1993 (2).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 11:685 (July 1985), LR 12:830 (December 1986), LR 16:297 (April 1990).

§1521. Operations

A. Bus Transportation

1. Vocational-technical institutes are allowed to contract to provide bus transportation subject to Board of Elementary and Secondary Education approval of the contract.

2. Vocational-technical institutes under the jurisdiction of the Board of Elementary and Secondary Education supplying bus transportation to students, shall charge students an appropriate amount to cover all costs of operating a bus, effective July 15, 1986.

3. Bus transportation to and from postsecondary vocational-technical facilities may be provided for students along major transportation routes of the normal enrollment area where routes can be economically justified. Students in adjoining areas may use the transportation system of either

area. Students receiving transportation shall be charged a bus transportation fee in an amount sufficient to completely offset the actual cost of providing the transportation service. The Board of Elementary and Secondary Education shall establish such fees and shall provide for their collection.

B. Surveys. All agencies, other than the Board of Elementary and Secondary Education, the State Legislature, and the Executive Branch of state government, are required to secure permission from the state superintendent of education before surveying regional/school/institute directors.

C. Chemical Distribution. A site safety officer charged with the supervision of safe practice in storage, use, and distribution of all chemicals shall be designated in each school system. The school system must assess the safety of the facilities and equipment in all schools, including the location, quantities, and states of all regulated hazardous substances. A plan to redistribute the unwanted substances must be prepared and kept on file in the central office. Remaining chemicals must be listed on an inventory system. A copy of the inventory must be kept on site in each school, in the central office of each local school system, and at the local fire chief's office.

D. Administration of FundsCStudent Organizations

1. Administration of Funds Raised by Student Organizations in Technical Institutes. A student organization, as recognized in Policy of the United States Department of Education for vocational student organizations, is an integral part of the curriculum. "A student organization is a group of students organized (functioning constitution and bylaws) for a stated purpose related to the vocational school's purposes and approved by the school's administrator."

2. It shall be the policy of the Board of Elementary and Secondary Education that all funds raised by vocational student organizations in the technical institutes shall be deposited in a single bank account titled as Vocational Student Organization (VSO) account for each school and shall be administered by vote of the club, approval of club president, treasurer and club advisor(s) and or technical institute director. These funds shall be administered according to the following procedures.

a. Each technical institute having vocational student organizations, shall have a general school account for vocational student organization funds maintained in a cash journal and have a general ledger to record the monthly total of the cash journal. Example: VICA, PBL, etc. If there is only one campus organization, the official national, state, and/or local organization name may be used as the account name.

b. The general account shall have two sections:

- i. receipt section; and
- ii. disbursement section.

c. The receipt section shall provide all information concerning money received and deposited.

d. The disbursement section shall show the date paid, to whom paid, check number, purpose of disbursement, amount of check, for all disbursements. No checks will be issued for cash.

e. Each vocational student organization having money in the general account shall have a subsidiary account set up in the general ledger under their subsidiary organization name.

f. Each vocational student organization turning in money for deposit shall receive a numbered receipt for all money turned in. The receipt shall indicate how the money was raised, for example, sale of candy, bake sale, raffle, dues, etc. If the receipt is for dues paid by a student, the student's name shall be listed on the receipt.

g. Each vocational student organization account shall be posted monthly from the cash journal.

h. Disbursements for bills shall be made in accordance with normal business procedures.

i. The institute shall receive invoices for all student organization accounts.

j. The faculty sponsor(s) and club officers shall be responsible to the director for all transactions pertaining to his/her organization.

k. All disbursements shall have prior approval by vote of the club, club president, club officers and club advisor(s) and or technical institute director before any transaction is made.

l. Once disbursement has been approved, a check request shall be completed by the faculty sponsors and club officers and shall be signed by dual signature on checks by the director and the faculty sponsor(s) and/or club officer(s).

m. The check request, properly executed, along with an invoice and a receiving report that the goods have been received, shall authorize the issuance of a check. To facilitate overnight activities, receipts and invoices shall be submitted upon return.

n. All bills shall be paid by check, prepared by the technical institute accountant, and shall be signed by dual signature by the director and the faculty sponsor(s) and or club officer(s).

o. At the end of the month, a financial statement of cash receipts and disbursements shall be made and signed by the director and the faculty sponsor(s) of each organization.

p. At the end of each fiscal year, the faculty sponsor(s) shall initial the financial statement balance for his/her club or organization. These initials indicate that the balance is correct and agrees with the organization treasury report.

q. These accounts shall be available for audit and included in the technical institute annual report.

3. The school shall accept no gifts from school organizations unless the full ownership, operation, and/or control of the donation is vested entirely with the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 4:359 (October 1978), LR 8:234 (May 1982), LR 12:763 (November 1986), LR 13:84 (February 1987), LR 14:11 (January 1988), LR 15:962 (November 1989), LR 16:297 (April 1990), LR 16:605 (July 1990), LR 21:676 (July 1995).

§1523. Students

A. Admission Procedures

1. The Board of Elementary and Secondary Education shall accommodate students who are employed, and whose work schedule does not permit attendance at a vocational-technical institute within the existing policies of the board to attend under a special scheduling provision. This special scheduling shall be left to the discretion of the local vocational-technical institute director. Judgement shall be used in this scheduling process to maximize student contact hours. Tuition shall be collected within the existing policy and shall not be less than tuition charged for a half-time student. Veterans wishing to receive VA benefits shall comply with the attendance requirements established by the Veterans Administration.

2. Entrance Requirements. General entrance requirements for postsecondary technical institutes, effective July 1, 1991: These requirements herein are designed to identify the academically disadvantaged, provide for a program of academic and technical knowledge improvement, reduce the dropout rate, encourage program completions, and improve placement rates. The requirements herein are as follows.

a. The technical institutes shall be operated under an open door policy and shall serve programs on an equal priority basis, including but not limited to adults, veterans, high school students, persons who have dropped out of high school, and minority ethnic groups.

b. A student shall have reached 16 years of age prior to entry into a technical institute.

c. All postsecondary technical education institutions under the jurisdiction of the Board of Elementary and Secondary Education shall administer the Test of Adult Basic Education (TABE) Survey Edition-Level A, to anyone who wishes to enroll in a technical institute except for extension courses. The test results will be used for diagnostic purposes and assisting applicants in program planning which may include upgrading of basic skills, but shall not be used to determine entrance into an institute. This test is nationally normed, provides grade-equivalent test results, is electronically scoreable, has reasonable costs and is easily administered to large or small groups.

d. Aptitude may be accomplished by using the Armed Services Vocational Aptitude Battery (ASVAB), which is taken by many high school students during their senior year, or other appropriate testing instrument. Specific aptitude testing may be requested by the student personnel services officer of the technical institute and/or upon the request of the student. Exception: Where academic achievement levels are required by a licensure board, such as LPN programs, barbering programs, cosmetology programs, etc., or any other program under a licensing board that establishes requirements for that program, the following guidelines are recommended.

i. A special remediation program designed for each academically disadvantaged student could run concurrently with skills training. A portion of each day could be devoted to academics and a portion to skill training. Personnel to facilitate technical studies and developmental studies instruction in the postsecondary technical system shall be state certified.

ii. Appropriate developmental studies instructors and student personnel services officers must be available for diagnosing student academic deficiencies, developing individual employability development plans, providing remedial instruction, and/or appropriate related instruction.

B. Attendance Policy. College enrollment assumes maturity, seriousness of purpose, and self-discipline for meeting the responsibilities associated with the courses for which a student registers. The primary mission of the Louisiana Technical College System is to prepare individuals for employment. Success in education and employment is dependent upon preparation and regular attendance. Recommendation to employers for job placement will depend on technical and academic preparation, as well as regular attendance. Students are expected to attend all classes. No class cuts are authorized. If an absence occurs, it is the responsibility of the student to make up all work missed. Students who do not officially drop or withdraw within the prescribed dates for this action or who discontinue attendance will receive an "F" in the course or courses. Under no circumstances will an absence, for any reason, excuse the student from completing all work assigned in a given course. After an absence, it is the student's responsibility to check with the instructor about the completion of missed assignments. Any student who accumulates excessive absences (10 percent of the total classes in a course within a term) which are unexcused, may be suspended from that class for the remainder of the term and result in a grade of "F" for the class. (Details of excused absences, etc. to be determined at the school level.) This policy shall be superseded by any more stringent attendance policy required by a regulatory or license body.

C. Senior Citizen Tuition Exemption Policy. A senior citizen is defined as any person 60 years of age or older.

1. Senior citizens may enroll in a training program/course tuition free on a space available basis each quarter.

2. At the time of application, the senior citizen will provide proof of age through any legal document (birth certificate, driver's license, etc.).

3. The senior citizen will be responsible for application fees, books and supplies, and any other fees assessed by the campus.

4. The senior citizen enrollment count in any program/course cannot be applied to the minimum number of students required to start a new program or to keep a program/course open.

5. The senior citizen will follow the same policies and procedures established for all other students.

6. The senior citizen enrollment status shall be indicated on a separate section of the technical college data collection system.

7. This policy does not apply to senior citizens who are receiving financial assistance which covers the cost of tuition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 4:240 (July 1978), LR 6:650 (November 1980), LR 8:323 (July 1980), LR 9:209 (April 1983), LR 10:7 (January 1984), LR 10:200 (March 1984), LR 11:617 (June 1985), LR 11:1065 (November 1985), LR 11:1138 (December 1985), LR 12:14 (January 1986), LR 12:92 (February 1986), LR 12:667 (October 1986), LR 12:830 (December 1986), LR 13:84 (February 1987), LR 13:160 (March 1987), LR 14:11 (January 1988), LR 14:12 (January 1988), LR 14:409 (July 1988), LR 14:704 (October 1988), LR 14:790 (November 1988), LR 16:297 (April 1990), LR 16:768 (September 1990), LR 17:35 (January 1991), LR 17:589 (June 1991), LR 17:957 (October 1991), LR 18:29 (January 1992), LR 19:1550 (December 1993), LR 19:1551 (December 1993), LR 21:168 (February 1995), LR 21:464 (May 1995), LR 22:453 (June 1996), LR 22:809 (September 1996), LR 24:297 (February 1998), LR 25:424 (March 1999).

§1525. Institute/Regional Management Center Calendars

A. All postsecondary technical institutes will be open a minimum of 238 days for a 5-day work week and 200 days for a 4-day work week per fiscal year, inclusive of administrative days, vacation days and the annual LVA/SDE inservice conference/workshop. Regional management centers will be open a minimum of 238 days for a 5-day work week, inclusive of vacation days.

B. The Office of Vocational Education will issue to each school, a 5-day/4-day calendar of work each year for their selection which must be submitted to the Department of Education, prior to June 1 of each fiscal year, for final approval.

C. Classified Employees

1. Classified employees must not exceed the number of paid holidays that other state agencies observe in any

given year. R.S. 1:55 names such legal holidays, both those that are guaranteed every year, such as Christmas Day, and those the governor may choose to proclaim, such as the Friday after Thanksgiving.

2. Even though the educational schedule for vocational-technical institutes require the classified employees to work on some legal holidays, school "holidays" cannot be substituted for legal holidays and employees must be compensated in accordance with Civil Service Rule 6.23. If an employee must work on a legal holiday that the institute does not observe, he/she should be granted compensatory time or paid for working the holiday. If the school is closed at times other than on legal holidays, the employees must be charged leave for their absence.

3. Agencies may require employees to take annual leave when the agency closes, based on Civil Service Rule 17:20, which reads as follows.

a. A department or agency, when the efficiency of agency operations dictates a temporary closure, may require employees to utilize up to a maximum of 10 days of annual leave per calendar year.

i. Employees needed to maintain the buildings may be exempted.

ii. Employees who have less than 30 days of annual leave may be required to take annual leave under this provision.

iii. Employees who have exhausted annual leave shall be placed on leave without pay, but not for more than 10 days per calendar year.

iv. To show employees on "special leave" or in duty status for holidays not worked or for closures is a violation of Civil Service Rules. An exception to this would be if conditions such as hurricanes, flooding, or other natural disasters prevent an agency from opening on a particular day. Employees cannot get paid for closures without taking annual leave or compensatory leave. Those employees who have exhausted annual leave and compensatory leave must be put on leave without pay for days not worked. Legitimate sick leave may be taken during these periods.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10); R.S. 17:1992, R.S. 17:1993, R.S. 17:1995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 9:635 (December 1983), amended LR 16:297 (April 1990), LR 18:602 (June 1992).

§1527. Courses; Classes; Programs; Visits

A. New Courses. The initiation of new courses or plans for the expansion of existing courses in the vocational-technical institutes should come through the regional center director to the Department of Education, Office of Vocational Education, to the Board of Elementary and Secondary Education from the director of the institute; such programs will be under the direct supervision of said director.

EDUCATION

B. Adding First-Time Courses

1. The Department of Education, Office of Vocational Education, shall recommend to the Board of Elementary and Secondary Education the addition of a new course or courses for post-secondary vocational-technical institute. Any post secondary vocational-technical institute desiring to add a new course shall furnish the Department of Education, Office of Vocational Education the following information:

- a. projected beginning date of new proposed course;
- b. employment supply and demand data for this occupation (include whether it is to be considered a permanent or temporary training program);
- c. available space to accommodate the new proposed course;
- d. list of needed equipment;
- e. position availability;
- f. licensing requirement (if a license is required for the program and/or for the program completers, assurances must be provided that these requirements have been met); and
- g. funds available in operating budget.

2. If the course is initiated for the first time in the postsecondary vocational-technical system and is not among the courses subsequently approved by the Board of Elementary and Secondary Education, the curriculum (including projected hours, course content, exit points, etc.) shall be evaluated by the Vocational Curriculum Development and Research Center, whose approval shall accompany the request to the Department of Education, Office of Vocational Education.

C. Course Titles; Classes; Time Requirements

1. The implementation of course titles and uniform time requirements in the vocational-technical institutes throughout the state are approved as recommended by the Department of Education in Bulletin 1822, Competency Based Postsecondary Curriculum Guides.

2.a. To initiate a full-time day program, the program must have a minimum enrollment of 12 full-time students or to initiate a full-time day program with less than 12 full-time students, the program must have prior approval of the Board of Elementary and Secondary Education. An exception to this policy is the program with a student enrollment that must meet the enrollment policy of another regulatory agency or board.

b. To initiate an extension program, the program must have a minimum enrollment of 10 students or to initiate an extension program with less than 10 students, the program must have prior approval of the assistant superintendent, Department of Education, Office of Vocational Education.

3. All extension classes conducted by vocational-technical institutes must be approved on the Department of

Education Form DE-1907 before the program can be started in the vocational-technical institute.

4. The maximum number of hours of extension classes that a full-time instructor of preparatory classes is permitted to teach per week is 12 hours.

5. The discontinuance of any preparatory class must be approved by the Board of Elementary and Secondary Education.

D. Cooperative Programs. General guidelines to be followed for cooperative programs are as follows.

1. A written training plan shall be developed cooperatively by the instructor and employer for both the classroom and on-the-job training. It shall include length of training; skills to be learned through on-the-job training and work experience; and skills and knowledge to be taught in the classroom. A completed training plan must be maintained in each cooperative student's folder.

2. After satisfactorily completing 50 percent of program training hours, students will be permitted to participate in cooperative education programs for no more than 50 percent of the remaining training time (no more than one fourth of total training hours).

3. Students must receive appropriate compensation for student-learners, i.e., at least minimum wage.

4. The instructor shall be required to visit students where employed, to observe the students at work and to confer with the employers.

5. There should be a written evaluation of each student's on-the-job training completed by the instructor. The responsibility for determining grades lies with the instructor.

6. The student must be covered by the applicable work permit and/or student learner permit as required by state and federal labor laws. The instructor should make every effort to assist the employer in complying with labor laws as they apply to minors in cooperative programs as well as all other state and federal regulations pertaining to vocational education.

7. The student must complete the necessary prerequisite courses and have completed a minimum of 50 percent of the course requirements in the program which he/she is enrolled. The student must also meet other institute requirements.

8. Cooperative agreements between employers and technical institutes for on-the-job training of students shall be handled administratively by the Department of Education, Office of the Technical Institute System.

9. In cooperative education programs, the vocational-technical institute and the employer must comply with civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex and handicapping conditions. It is the school's/institute's responsibility to obtain written assurance from each employer that work assignments, selection of students, and employment practices shall be free from discrimination.

E. Programs in Correctional Facilities. The following procedures are for administering the education programs in the correctional facilities. For the purpose of this rule, education programs are defined as those vocational-technical and adult education programs offered in the adult correctional facilities by the Board of Elementary and Secondary Education and does not include those physical education, recreation instructors and librarians that remain with the Department of Corrections.

1. After hearing the recommendation of the Department of Education, the Department of Corrections, and all other interested parties, the Board of Elementary and Secondary Education shall determine which area vocational-technical institute will administer the education programs at the individual correctional facilities.

2. Each area vocational-technical institute will provide certified and qualified instructional personnel, curriculum materials and supervision for the entire program within the confines of the prison facilities.

3. In the initiation of an education program in a new prison facility, all equipment for the new program will be purchased by the Department of Corrections.

4. Department of Corrections will provide students (inmates), classroom, utilities, maintenance and repair of building which will include janitorial service, maintenance of roads and security.

5. It will be the responsibility of the administration of the correctional facility to maintain security in and around the institute.

6. Additional needs to insure success of a program at a particular facility can be added to this agreement with an addendum approved by both the Department of Corrections and the Department of Education. With the approval of this agreement, all prior agreements become void.

F. Industrial Visits. Industrial visits are recognized as an excellent instructional medium. However, such visits shall be well planned and directly related to the educational process under consideration, and shall follow approved guidelines, as follows.

1. The vocational-technical institute director and the instructor shall determine the need for the trip.

2. Approval shall be obtained from the vocational-technical institute director.

3. Necessary arrangements shall be made for transportation. If private vehicles are used, the owner(s) must provide evidence of having sufficient liability insurance.

G. Special Off-Campus Training Activities. The Board of Elementary and Secondary Education recognizes off-campus training activities as excellent instructional mediums. However, such activities shall be well planned and directly related to the educational process under consideration, and shall follow approved guidelines, as follows.

1. The vocational-technical institute director and the instructor shall determine the need for the trip.

2. Approval shall be obtained from the vocational-technical institute director.

3. The institute director shall be provided written training objectives for the activity. Furthermore, a work order shall be prepared and signed by all parties involved. It shall indicate each party's responsibilities. A copy of this work order and itinerary is to be submitted to the institute director with the previously described plan with the original remaining at the institute.

4. Necessary arrangements shall be made for transportation. If private vehicles are used, the owner(s) must provide evidence of having sufficient insurance.

5. The instructor shall have the responsibility for the supervision of the students while traveling to and from their destination and while at their activity site.

6. The institute director shall be given a summary report by the instructor upon activity completion.

7. The vocational-technical institute director or his/her designee shall have available upon request, all information/documentation mentioned in §1527.G.7.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10); R.S. 17:7(5).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 5:96 (May 1979), LR 5:169 (July 1979), LR 2:314 (May 1992), LR 2:323 (July 1982), LR 9:255 (April 1983), LR 9:411 (June 1983), LR 9:614 (September 1983), LR 10:661 (September 1984), LR 11:686 (July 1985), LR 11:1137 (December 1985), LR 16:297 (April 1990), LR 17:589 (June 1991), LR 21:677 (July 1995).

§1529. JTPA Projects

A. All JTPA projects pertaining to vocational education and contracted by the Department of Education will be submitted to the Department of Education for coordination with the vocational-technical institute directors in the surrounding areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24; 29 USCA 1501 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 4:489 (December 1978), amended LR 16:297 (April 1990).

Chapter 17. Finance and Property

§1701. Per Diem and Travel

A. Per Diem to Salaried Employees. Rules set forth by the State Ethics Commission which allow salaried public employees to receive per diem payments as long as they are on annual leave will be followed by the board.

B. Expenses of Advisory Councils. All members of board advisory councils including salaried public employees are entitled to reimbursement for travel expenses and may submit requests for reimbursement for these expenses in

EDUCATION

accordance with regulations promulgated by the state commissioner of administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A) (9); R.S. 39:231.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§1703. Projects; Facilities

A. Capital Projects

1. All requests for new capital construction or renovation projects submitted by board entities shall comply with all applicable state laws and all applicable regulations issued by the Division of Administration.

2. Requests for capital projects from vocational-technical schools shall be submitted to the assistant superintendent for vocational education and requests from the Special Schools shall be submitted to the superintendent of Special School District No. 1.

3. All requests for any given fiscal year shall be prioritized by the Department of Education, and the department shall present the priority listing of projects to the board. The board shall approve all capital construction or renovation projects and the priority for submission prior to the submission to the executive and legislative branches of government.

B. Use of Facilities

1. When facilities of board institutions are used for activities other than those of the institution, organizations concerned shall be required to reimburse the school for all costs incurred in connection with the affair, and they shall be further required to carry sufficient public liability insurance to protect all parties concerned, including the institutions.

2. Dining facilities at institutions under the control of the board are not open to the general public.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A); R.S. 17:2151; R.S. 39:56; R.S. 39:61, 62.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 9:835 (December 1983), amended LR 16:297 (April 1990).

§1705. Property; Insurance

A. Property

1. Donations

a. Donations of property to vocational-technical schools are referenced in §1505.D. Donations of property to Special Schools and Special School District No. 1 are referenced in §1303.A.

b. If property donated by a local school board ceases to be used by the state for any educational purposes whatsoever, then it will revert to the local school board.

2. Easements, Servitudes and Rights-of-Way. All requests for easements must be accompanied by the document to be executed at the time the request is submitted to the board for approval.

3. Options. Any option of the board on land on which the date of expiration has passed shall be cancelled and any such matter shall be brought to the immediate attention of the board by the state superintendent of education.

4. Property Management. Property management in any entity under the board's jurisdiction shall be in compliance with all applicable state and federal property laws and regulations.

B. Insurance

1. Agencies under the jurisdiction of the board shall comply with all regulations issued by the Division of Administration, Office of Risk Management.

2. Institutions under the jurisdiction of the board are to notify the fire marshal's office immediately in the case of all explosions and also in the case of fire when arson or some other unusual circumstance is suspected.

3. Partial losses or damages to property will be attended to immediately by the institution authorities and the state superintendent working in concert with the manager of the Office of Risk Management. In the case of total losses the same personnel mentioned above shall arrive at remedial measures, draw up a list of property destroyed, and submit them to the board for review.

4. Each entity under the jurisdiction of the board is to maintain a complete inventory showing the amount and type of all moveable equipment owned by the institution in accordance with applicable state and federal laws and regulations regarding property management.

5. The Division of Administration is requested to consult with the state superintendent prior to making a settlement on insurance or replacing of damaged buildings under the jurisdiction of the board.

6. No board entity shall purchase buses without the authority of the board.

7. All board employees excluding those hired under the provisions of a professional services or consulting contract shall be placed under workmen's compensation coverage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4, 4.1; 17:6(A); R.S. 17:381.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 3:404 (October 1977), amended LR 6:543 (September 1980), LR 8:406 (August 1982), LR 13:563 (October 1987), LR 16:297 (April 1990).

§1707. Purchasing; Auditing; Contracts for Professional Services

A. Purchasing. Entities under the jurisdiction of the board shall comply with all applicable federal and state laws and all applicable federal and state rules and regulations and board policy which govern the purchase of goods and services.

B. Auditing

1. Entities under the jurisdiction of the board shall submit to an audit of their operations. This audit shall be conducted in accordance with provisions and timelines established by the Office of the Legislative Auditor.

2. Once the Office of the Legislative Auditor has issued a report on the operations of an entity under the board's jurisdiction, it shall be the responsibility of the department to provide the board with a complete analysis of the report and to recommend corrective actions to be taken when necessary.

C. Contracts for Professional Services

1. Entities under the jurisdiction of the board shall negotiate all contracts for professional/consulting services in accordance with all applicable federal and state laws; and in accordance with all applicable federal and state rules and regulations and board policy.

2. The state superintendent may negotiate and approve contracts for professional/consulting services in an amount less than \$1,000 and shall issue a report to the board on all contracts approved.

3. The state superintendent shall recommend to the board for approval all contracts for professional/consulting services negotiated by the vocational-technical schools and the Special Schools under the board's jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1481-1526; R.S. 39:1551, et seq.

HISTORICAL NOTE: promulgated by the Board of Elementary and Secondary Education, LR 16:297 (April 1990).

§1709. Budgets

A. General Policies

1. All entities under the jurisdiction of the board shall submit all budget requests for all funds (state, federal, self-generated, etc.) to the Board of Elementary and Secondary Education for review and approval. The entities shall be responsible for complying with all state laws and regulations regarding budget submission to the executive and legislative branches of government.

2. In approving budgets for entities under the board's jurisdiction, the board shall be guided by all state plans adopted for the purpose of administering federal and state funded programs.

B. Budget Submission

1. Entities under the jurisdiction of the board shall submit their budgets to the board for approval prior to submission to the Division of Administration and legislative offices.

2. Preparation of vocational-technical school budgets shall be made on a regional basis in accordance with state law and board policy.

C. Budget Forms. Entities under the jurisdiction of the board shall submit their budgets on the forms prescribed by the Division of Administration.

D. Amendments and Revisions

1. Any budget under the jurisdiction of the board can only be amended after the amendment is submitted to the board.

2. Entities under the board's jurisdiction, when submitting amendments and/or revised budgets, shall illustrate itemized means of finance as well as expenditures.

E. Budget Adjustments. All changes in any budget submitted under §1709.A, General Policies, must first be submitted for review and approval by the board prior to incorporation of any change within a budget. Excluded from review of such changes shall be the Department of Education in its day-to-day operations and staffing, except budget changes which implement a budget reduction, which shall be approved by the board prior to submission to the Division of Administration.

F. Interim Emergency Board. Prior to the submission of a request for funding from the Interim Emergency Board, entities under the jurisdiction of the Board of Elementary and Secondary Education shall complete requests on forms prescribed by the Interim Emergency Board and shall receive approval for submission by the Board of Elementary and Secondary Education. Submissions to the Interim Emergency Board shall be in compliance with all rules promulgated by that board.

G. Financial Relations with Students. Directors of vocational-technical institutes and superintendents of special schools shall notify the Board of Elementary and Secondary Education and receive board approval for any fixed financial relations between the students and schools when these relationships affect the school's or institute's budget.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:398 (September 1975), LR 1:541 (December 1975), LR 3:404 (October 1977), LR 14:789 (November 1988), LR 14:790 (November 1988), LR 16:297 (April 1990), LR 16:397 (May 1990), LR 20:646 (June 1994), amended LR 21:1329 (December 1995), LR 23:55 (January 1997), LR 24:296 (February 1998), LR 25:247 (February 1999).

§1710. Acceptable Work Experience for Teacher Pay

A. Conditions of Employment. For purposes of determining salary, Louisiana public schools shall grant credit for work experience in compliance with the following criteria.

1. Louisiana Public Schools

a. Full-time/half-time satisfactory teaching experience at a parish or city school board or a Louisiana special school. Experience in a position that requires a valid Louisiana teaching/ancillary certificate. Proper certification for the position held; this is to include temporary certificate, temporary teaching assignment, temporary employment permit, emergency permit, provisional certificate, and/or Circular 665 experience after regular certificate/licensure is secured.

EDUCATION

b. Full-time college/university satisfactory teaching experience, not to include graduate assistantship.

c. Vocational technical institute teaching/instructional, full-time satisfactory experience when certified as a teacher for public elementary or secondary schools or vocational technical institutes; proper temporary certification will count.

d. Full-time satisfactory work experience acquired by ancillary personnel while employed by an organization or institution if such personnel held the credentials required for ancillary certification at the time work was performed. This is not to include private practice.

2. Louisiana Nonpublic Approved Schools. The crediting of elementary and secondary teaching/instructional experience for Louisiana nonpublic teachers/instructional employees, shall be in accordance with R.S. 17:424.2. Full-time college/university, vocational technical, and ancillary experience shall be credited according to the standards stated in §1710.A.1.b-d. Experience must have been in a position requiring teaching/ancillary certificate or licensure. Proper temporary certification will count after regular certificate/licensure is secured.

3. Out-of-State Public Schools. The crediting of public elementary and secondary teaching/instructional experience for out-of-state teachers/instructional employees shall be in accordance with R.S. 17:424.3. Full-time college/university, vocational technical and ancillary experience shall be credited according to the standards stated in §1710.A.1.b-d. Experience must have been in a position requiring teaching/ancillary certificate or licensure; this does not include experience under temporary certification/licensure.

4. Out-of-State Nonpublic Approved Schools. The crediting of elementary and secondary teaching/instructional experience for out-of-state nonpublic teachers/instructional employees is optional and shall be determined by each local school board.

5. Military. Credit for military service shall be in accordance with R.S. 17:423.

B. Length of Employment. A school system may credit a full year of teaching/instructional service if the employee has provided teaching/instructional service for a minimum of 90 school days or one semester in one school year, in compliance with the above requirements. This credit will be given in the following year of employment except for individuals hired at mid-term who may be given credit for the fall semester of experience. The maximum credit for a school year is one year of experience.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:424.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 21:549 (June 1995).

§1711. Federal Funds

A. Control of Federal Funds. In compliance with its policy-making and budgetary authority, the Board of

Elementary and Secondary Education as the state education agency shall control the receipt, supervision and allocation of all federal funds provided to the state through entities under its jurisdiction.

B. Procedures for Receipt and Allocation

1. All functions pertaining to receipt and allocation of federal funds shall be made subject to the approval of the Board of Elementary and Secondary Education. The board, in compliance with law, shall review, approve, and allocate all federal education funds. The superintendent shall be the agent for such programs.

2. When federal funds are used in any education project and/or program, all provisions of applicable federal law and regulations shall be complied with and followed.

3. The board shall approve all applications for federal funds prepared by entities under its jurisdiction prior to submission to the governor for signature and/or to the federal government for consideration.

C. Consultant Fees. Consultant fees for the preparation of applications for federal funds are limited to a maximum of 5 percent of the total grant.

D. Disbursal of P.L. 94-142 Funds (Flow Through). The Department of Education shall submit a listing of allocations to local school systems based upon applicable laws, regulations and board policies. The local school systems shall receive 80 percent of the total federal allocation for flow-through funds.

E. Disbursal of P.L. 94-142 Funds (Discretionary). Disbursal of P.L. 94-142, Part B, Support Services (Discretionary) Funds for special education shall be governed by the following.

1. The Department of Education, with approval of the Board of Elementary and Secondary Education shall:

a. establish priorities for the use of P.L. 94-142, Part B, Support Services (Discretionary) Funds;

b. administer and direct distribution of these funds; and

c. assure proper receipt and disbursement of these funds.

2. The funds provided to local education agencies from the 15 percent discretionary monies under Education of the Handicapped Act, Part B, P.L. 94-142, shall not be used for local school construction programs, procurement of temporary buildings, or for the acquisition of school buses, vans, or other vehicles except as follows:

a. renovations and repairs necessary for reason of health and safety of handicapped students and staff; and

b. modifications required to make special and regular education programs accessible to handicapped students including, but not limited to, such items as ramps, widened doorways, handrails, special water fountains, and modified bathrooms. This exception specifically excludes modifications for the purpose of compliance with §504 of the Rehabilitation Act;

c. the purchase of building materials for construction as part of an ongoing vocational education program for the handicapped students; and

d. adaptations of existing buses to provide for the safe loading, transporting, and unloading of handicapped students.

3. Support services funds shall be used to address one or more of the priority areas specified in the approved State Special Education Program Plan and must be supported by third party evaluation information. An annual needs assessment will be conducted to verify needs specified in the state plan.

4. Allocation of support service funds shall be made annually under the following categories:

a. Priority Grants: competitive grant awards in response to requests for proposals (RFPs);

b. In-House Support: special projects to address priority areas coordinated by the department; and

c. Field Support: noncompetitive grants and emergency awards.

5. Procedures for disbursement of support services (discretionary) funds are to be implemented by the Department of Education, Office of Special Educational Services (OSSES).

6. The Special Education Advisory Council shall comment publicly through its minutes on the department's preliminary and final recommendations for disbursement of support services funds prior to submission to the board for approval.

7. The Department of Education, Office of Special Educational Services, in accordance with procedures and timelines specified by the U.S. Department of Education, shall develop the State Special Education Program Plan specifying priorities for expenditure of Part B Support Services (Discretionary) Funds.

8. Following public review and comment by the Special Education Advisory Council, the department shall submit the plan to the state board for approval prior to submission to the U.S. Department of Education for review and approval.

9. Prior to November 1 of any fiscal year, the Department of Education, Office of Special Education Services, shall submit to the Special Education Advisory Council for review and comment, and to the board for its approval prior to December 31, a preliminary report specifying projected categorical funding levels for each major support service category for the next fiscal year. Justification of needs will be based on review and analysis of the most recent P.L. 94-142 Annual Evaluation Report; summary of due process hearing findings and decisions; summary of trends in citations resulting from onsite administrative site reviews; annual written verification of the needs specified in the special education program plan; and

other available needs assessment data. The annual written verification process will be a survey of regular and special education teachers and administrators, parents of handicapped children, university personnel, representatives of vocational-technical schools and other public agencies, and advocacy organizations. Projected funding levels will be based on the December 1 P.L. 94-142 Child Count. This preliminary report will specify the following.

a. Priority Grant RFPs (per RFP): topics and a statement of need (priority addressed); eligible applicants; evaluation and reporting requirements; criteria for approval; internal/external review procedures; timeliness for review and approval; and projected funding level.

b. In-House Support Projects (per project): description (priority addressed and justification); fiscal year objective(s); projected funding level.

c. Field Support Projects: projected funding level.

10. RFPs for Priority Grants shall be issued by OSSES to allow four to six weeks for submission of proposals (January-February).

11. The Department of Education, Office of Special Education Services, shall conduct internal and external reviews of Priority Grants proposals (March-mid-April).

12. The Department of Education, Office of Special Education Services, shall compile results of internal and external reviews and determine rank order, establish recommended funding levels, and conduct negotiations with applicants requesting budget revisions as needed (mid-April-mid-May).

13. The Department of Education, Office of Special Education Services shall, on or before May 15, prepare a report for review by the state superintendent specifying recommendations for funding of each support services category. This report will include:

a. Priority Grant RFPs: a list of all proposals submitted in rank order, a description of proposals recommended, recommended funding levels, and justifications for recommendations;

b. In-House Support Projects: a description of the project (priority addressed), fiscal year objective(s), and recommended funding levels; and

c. Field Support Projects: total funds available.

14. On or before June 15, Department of Education, Office of Special Education Services, shall submit a report to the Special Education Advisory Council for review and comment, and to the state board for approval and authorization for funding. The date for actual awarding of funds is contingent upon the receipt of the P.L. 94-142 grant award from the U.S. Department of Education.

15. The department, subject to board approval, may issue additional RFPs if surplus or unexpended funds become available. Procedures set forth in this Section shall be followed.

EDUCATION

F. Vocational-Technical Education Funds

1. The board shall allocate all funds in accordance with the State Plan for Vocational-Technical Education.

2. The board assures compliance with federal vocational rules and regulations as follows: where federal funds are used in vocational education projects and/or programs, all provisions of federal laws and regulations, including the U.S. Department of Education, Office of Education General Provisions for Programs, Administrative and Fiscal Requirements, as found in the *Federal Register*, Volume 38, No. 213, Part 3, Appendix B, Page 30694, will be complied with and followed.

3. Eligible recipients of P.L. 98-254 funds who are notified by the Department of Education, Office of Vocational Education that they have expended federal funds out of compliance with federal guidelines, regulations and mandates shall reimburse the Department of Education with state/or local funds upon notification.

G Education Consolidation and Improvement Act. The board maintains the following standards, methods of implementation and measures of accountability for Chapter I, Education Consolidation and Improvement Act of 1981 (ECIA) for the state of Louisiana.

1. The purposes of Chapter I, ECIA are:

a. to provide financial assistance to state and local educational agencies to meet the needs of educationally disadvantaged children on the basis of allocations calculated under Title I, ESEA;

b. to eliminate burdensome, unnecessary, and unproductive paperwork; and

c. to free the schools of unnecessary federal supervision and control.

2. Programs provided under ECIA, Chapter I are:

a. financial assistance to local educational agencies to meet educational needs of disadvantaged children residing in attendance areas with high concentrations of children from low income families;

b. financial assistance to meet educational needs of educationally deprived children in local institutions for delinquent children; and

c. financial assistance to meet educational needs of children in state institutions for neglected children, or for children in correctional institutions for juveniles and children in adult correctional institutions.

3. The Department of Education, Bureau of Chapter I, ECIA has the primary responsibility for developing standards and methods for implementing Chapter I in Louisiana. The following elements must be included in all applications submitted for funding:

a. attendance area selection;

b. annual assessment of needs;

c. student selection;

d. size, scope, and quality;

e. coordination;

f. consultation with parents and teachers;

g. participation by children attending private schools;

h. evaluation;

i. general aid;

j. maintenance of effort;

k. comparability;

l. supplement, not supplant;

m. financial management;

n. property control;

o. services in local institutions for neglected and delinquent children;

p. project applications and program approvals; and

q. program compliance audits.

4. Repayment agreements shall be administered according to these rules.

a. The purpose of the repayment agreement is to provide the department with an opportunity to avoid withholding funds where the LEA needs only a short extension of time to correct a violation, or where the seriousness of the violation does not warrant the withholding of funds. State repayment agreements should not be intended to exempt LEAs from full compliance with requirements for extended periods of time.

b. A repayment agreement is a written agreement signed by authorized representatives of both the department and the LEA. The agreement will include the following information:

i. a statement of each applicable requirement that the LEA is violating;

ii. a description of the activity that is in violation of each applicable requirement;

iii. a description of the steps that the LEA agrees to take in order to come into full compliance with each applicable requirement;

iv. a discussion of all matters that formed the basis for the initiation of a withholding action; and

v. a time period of not more than 90 days during which the LEA will take steps that will result in full compliance with the requirements involved.

c. The repayment agreement may comprise a single agreement or a series of agreements that, taken together, will result in full repayment by the LEA.

Title 28, Part I

d. The time period will be the shortest amount of time necessary to fully repay; however, in no case may the period of time exceed 90 days after the date on which the agreement was entered into with the LEAs.

e. If any LEA which entered into a repayment agreement fails to comply with the terms of the agreement, the agreement expires immediately. Once a repayment agreement has expired, the department will not enter into another repayment agreement with the same LEA for any violations that were addressed in the first agreement. When expiration has occurred, withholding procedures apply. However, in initiating a withholding action, the department will take into account any partial payment that was achieved by the LEA.

f. Within 15 days of entering into a repayment agreement, the department will send a copy of the compliance agreement to:

- i. the board;
- ii. the parish school board president of the agency that entered into the compliance agreement with the department; and
- iii. each person, agency, or organization that filed a complaint with the LEA, or the department concerning a violation covered by the agreement.

g. A repayment agreement may be initiated:

- i. before taking any action to begin a withholding action;
- ii. before providing the LEA a hearing;
- iii. during the hearing;
- iv. after a hearing determination that the LEA is not in substantial compliance with Chapter I requirements; and
- v. during the course of a withholding of Chapter I funds.

h. The agreement will not be used to reduce or forgive liability for repaying funds that were misspent prior to the date on which the agreement was entered. The repayment agreements may not be made retroactive. Therefore, it may be used to specify the amount of prior misspent funds that must be repaid, and to provide a schedule for such repayments.

5. Withholding procedures are as follows.

a. If the department determines that an LEA is not in substantial compliance with Chapter I requirements, the board, by law, must either authorize the department to withhold further Chapter I payments or enter into a repayment agreement with the LEA. These procedures may inevitably result in the withholding of funds in whole or in part and the subsequent reallocation of such funds.

b. Before initiating a proceeding to withhold Chapter I payments to an LEA, the department will

determine, on a case-by-case basis, that the agency is not in substantial compliance with the applicable Chapter I requirements.

c. Prior to withholding funds, the department will provide the LEA with:

- i. a reasonable notice of the reasons why the department believes that a withholding action is appropriate; and
- ii. an opportunity for a hearing.

d. A notice of withholding action will be issued at least 15 days before the hearing is held. It will provide the date, time, location, and nature of the scheduled hearing. In addition, the notice will contain a description of the Chapter I requirement with which the LEA is not in substantial compliance.

e. When a hearing is requested by an LEA, it will be held before an impartial decision maker who did not participate in the department's determination to initiate the withholding action. This person shall be appointed by the superintendent of education. The proceeding will be open to the public. Both the LEA and the department officials involved in the withholding action will be given an opportunity to present evidence and question the other parties involved. The hearing will be on the record.

f. Within 30 days after the hearing, the decision maker will issue a written decision, to include:

- i. a summary of the facts presented at the hearing;
- ii. a statement of the Chapter I requirements that have been violated;
- iii. the department's findings of fact and a summary of the evidence that the department considered in making these findings; and
- iv. the department's conclusions regarding the merits of all arguments made in the hearing, as well as a summary of its reasons for each conclusion.

g. When the decision maker finds that the LEA is not in substantial compliance with Chapter I requirements, the department will recommend to the board that all or part of the LEA's funds be withheld or when appropriate, authorize the department to enter into a repayment agreement. If the board authorizes the department to withhold funds, the department will submit a written notice to the LEA which indicates that further Chapter I payments, in whole or in part, will be withheld; and which specifies a date on which the withheld funds will be reallocated unless the department determines that the agency is in substantial compliance.

h. In deciding the amount to withhold, the department will consider the following factors:

- i. the seriousness of the noncompliance;
- ii. the amount of funds involved; and

EDUCATION

iii. the effect of withholding on participating children.

i. The significance of each of the three factors above will be weighed.

j. Pending completion of a withholding proceeding, if the department has reason to believe that an LEA is not in substantial compliance with Chapter I, it may recommend a suspension of Chapter I payments. However, before suspending funds, the board will first give reasonable notice of such action and provide the LEA with an opportunity to show cause why suspension action should not be taken pending completion of the withholding action. The response showing cause must be submitted to the department within 10 days after the LEA has received notice of suspension. In deciding whether to recommend suspension of payment, the department will consider factors such as:

i. the degree of certainty that the agency is not in substantial compliance;

ii. the magnitude of the noncompliance;

iii. the need to recommend suspension of payments to prevent the misuse of Chapter I funds; and

iv. the harm that may result to Chapter I projects as a result of the suspension.

k. If the board decides to suspend Chapter I funds, it will authorize the department to do so within 15 days of receiving the LEA's response to the "show cause" order. Concurrent with a suspension of payments, the department will provide the LEA with a written statement justifying the need to suspend payments. Funds will be suspended until a final withholding determination is made by the board.

l. Chapter I funds withheld by the department will be paid to the LEA from which they were withheld if the LEA comes into substantial compliance within the period of time specified by the board or the funds will be treated as excess funds for reallocation if the LEA does not repay within the period of time specified by the board.

AUTHORITY NOTE: Promulgated in accordance with 34 CFR 74; P.L. 94-142; P.L. 97-35; P.L. 98-254; R.S. 17:6 (A); R.S. 17:7 (3); R.S. 17:24; R.S. 17:193; R.S. 17:1944; R.S. 17:1948; R.S. 17:1995; R.S. 17:2033-2034; R.S. 17:2153; R.S. 49:661-665.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 1:541 (December 1975), amended LR 3:267 (June 1977), LR 3:404 (October 1977), LR 5:23 (February 1979), LR 5:61 (March 1979), LR 8:234 (May 1982), LR 9:321 (May 1983), LR 10:280 (April 1984), LR 10:745 (October 1984), LR 12:593 (September 1986), LR 12:666 (October 1986), LR 13:496 (September 1987), LR 15:734 (April 1989), LR 16:297 (April 1990).

§1712. Minimum Foundation Program

A. MFP: General Provisions

1. Board Adoption

a. The state superintendent of education shall prepare and recommend to the board for adoption a

minimum foundation formula for the equitable allocation of funds to local school systems for the operation of their educational programs. In considering this recommendation, the state superintendent shall comply with all appropriate state laws and regulations regarding elementary and secondary education.

b. The board shall adopt a minimum foundation formula for the equitable allocation of funds to local school systems. Once adopted, the board shall transmit the formula to the Joint Legislative Committee on the Budget and all other appropriate entities and offices of the executive and legislative branches of government.

2. **Local Responsibility.** It shall be the responsibility of local school systems to submit to the Department of Education in a timely manner all necessary and required information for the computation of an individual school systems allocation from the minimum foundation formula. This information shall be submitted to the department in the form required by the department. It shall also be the responsibility of all local school systems to follow all circulars issued by the department providing instructions for the preparation of the required data and other instructions regarding the computation of a local school systems allotment from the formula.

B. MFP: Payments. Each parish and city school system shall receive an allocation from the annual Minimum Foundation Program in 12 payments. These payments shall be incorporated into monthly amounts received from the state for implementation of the Minimum Foundation Program.

C. MFP: Student Membership Definition

1. **Definition.** For state reporting for public education for the purpose of establishing the base student count for state funding, each parish and city school system shall adhere to the following.

a. All students included for membership in school shall be identified with the following minimum required identification elements: state identification number, full legal name, date of birth, sex, race, district and school code, entry date, and grade placement.

b. For establishing the base student membership count for state funding the following guidelines will be adhered to.

i. No student will be counted more than one time. Students attending more than one school will be counted in membership only one time.

ii. All students, including special education students and students in ungraded class settings, will be included in the base student membership count who meet the following criteria:

(a). have registered or pre-registered on or before October 1*;

(b). are actively attending school (All current state laws and BESE policies concerning attendance should be carefully followed. Appropriate documentation [either written or computer documents] such as dates of absences, letters to parents, notification to Child Welfare and Attendance Officers should be placed in individual permanent records for any students who may have absences which raise questions about the students' active attendance.); and/or

(c). have not officially exited from school (Students are considered to have officially exited if a notification of transfer has been provided by the student's parent/legal guardian or received from another school.).

iii. Students who are in BESE and parish/city school system approved alternative programs (schools), will be included in the base student count for membership.

iv. Students who reside in Louisiana, attend school in another state, and are supported by Louisiana funding will be included in the base student count for membership.

v. All special education preschool (ages 3-5) students will be included in the base student count for membership.

vi. All special education infant (ages birth-2) students for whom the district provides one or more of the 16 identified services shall be included in the base student count for membership.

vii. Regular pre-kindergarten (4-year-old program) students will not be included in the base student count for membership.

viii. Private school students receiving services through the public school system will not be included in the base student membership.

ix. Students will be included in the base student count for membership until the chronological age of 21 years. A student whose 22nd birthday occurs during the course of the regular school year, will be counted in the base student count for membership for that school year.

NOTE: If October 1 falls on a Saturday, report membership on September 30. If October 1 falls on a Sunday, report membership on October 2.

D. MFP: Add-on Students/Units

1. Required Data: For purposes of establishing the data sets used in determining the add-on students/units, the following will be adhered to.

a. At-Risk Student Count shall be determined by the number of students whose family income is at or below income eligibility guidelines or other guidelines as provided by BESE. The current guidelines include those students who have approved applications to participate in the federal free and reduced price breakfast and lunch program. The count is determined by the number of approved applications for the free and reduced price lunch program during the month of

October as reported in the Student Information System (SIS).

b. Vocational Education Unit Count shall be determined by the number of Secondary Vocational Education courses per student as reported by the school districts through the Annual School Report for the prior year.

c. Special Education. Other Exceptionalities Student Count shall be determined by the number of Special Education students identified as having "other exceptionalities" in the LANSER database as of October 1 including:

i. infants and toddlers ages 0-2, who are currently receiving services; and

ii. both public and nonpublic, special education students ages 3-21 identified as having a disability as defined by R.S. 17:1943 who are receiving services from the local school district only (students serviced by SSD Number 1 and certain correctional facilities are excluded).

d. Special Education. Gifted and Talented Student Count shall be determined by the number of Special Education students identified in the LANSER database as of October 1 which includes both public and nonpublic special education students ages 3-21 identified as gifted and talented as defined by R.S. 17:1943 who are receiving services from the local public school district only.

e. Economy of Scale Student Count shall be determined by the number of students in the base student count as defined in LAC 28:I.1712.C.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:247 (February 1999).

§1713. Nonpublic Sector

A. Mandated Costs

1. The Required Services Program is intended to reimburse nonpublic schools for the actual cost of performing selected activities. Pursuant to the provisions of R.S. 17:361, annual reimbursement of each approved nonpublic school shall be for the actual mandated service, administrative, and clerical costs incurred by such school during the preceding school year in preparing, maintaining, and filing reports, forms and records, and in providing such other administrative and clerical services that are not an integral part of the teaching process as may be required by the state law or regulation or requirement of the state department, state agency, or local school board.

B. Required Services Act: Guidelines

1. Complete the form based on appropriate school year data.

2. Secure the school administrator's signature which denotes that the information contained on the form is complete and accurate.

EDUCATION

3. Compute salaries based on the following guidelines:

a. use actual salaries, exclusive of contributed services;

b. administrators: compute hourly rate paid according to a 50-week per year schedule, 40 hours per week;

c. teachers, guidance counselors, librarians: compute hourly rate paid on the basis of 180 days, six and one-half hours daily; and

d. nonprofessional support (secretarial, maintenance, etc.): compute hourly rate paid on the basis of the actual number of hours worked in a normal week.

4. The original form, signed by the school administrator (e.g., principal, headmaster, etc.) shall be submitted to the Superintendent of Education by September 30 each year.

5. Three supplemental categories are added to the required services:

a. asbestos testing and abatement;

b. auditory and visual testing; and

c. criminal history and finger printing of school employees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 7:404 (October 1981), amended LR 8:142 (March 1982), LR 14:703 (October 1988), LR 16:297 (April 1990), LR 23:404 (April 1997), LR 25:255 (February 1999).

§1715. Expenditure of Public Education Monies

A. All expenditures allocating or obligating public education funds, in particular all state and federal monies, shall be allocated and expended in compliance with applicable federal and state laws, regulations and policies. Any public employee of the Office of the Board of Elementary and Secondary Education who recommends or authorizes contract awards and/or expenditure of funds knowingly to be in violation of federal and state laws and/or BESE regulations or policies shall be subject to disciplinary action, including dismissal from employment.

B. The accompanying executive summary for all contracts and allocations for funds submitted to the Board of Elementary and Secondary Education for approval shall bear the following language and shall be signed by the appropriate submitting BESE/SDE personnel:

"I have reviewed the attached contractual and/or fiscal commitment and certify that the proposed expenditure is in compliance with all applicable federal and state laws and regulations and BESE policy. I am aware that I am subject to disciplinary action if my assurance is knowingly in violation of public laws or BESE policy."

C. All contracts and allocations for funds submitted to the state board for approval shall bear the following language:

"I have reviewed the attached contractual and/or fiscal commitment and am in agreement with all provisions set forth within. Based upon information and belief everything delineated within this contract or allocation is in keeping with all applicable federal and state laws and regulations and BESE policy."

AUTHORITY NOTE: Promulgated in accordance with Act 800 of 1979.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 16:396 (May 1990).

Title 28

EDUCATION

PART I. Board of Elementary and Secondary Education

Index

Acceptable Work Experience for Teacher Pay, 69	Louisiana State Plan for the Education of Homeless Children, 44
Accounting and Reporting Procedures, 31	Migrant Education State Plan, 43
Accreditation, 33	Minimum Foundation Program, 74
Administration of Medication Policy, 40	Montessori Schools, 50
Adult Education State Plan, 43	Nonpublic Sector, 75
Affirmative Action, 14	Nutrition Education State Plan, 43
Auditing, 68	Office of Vocational Education, 60
Board	Operational Matters Affecting Board Special School Only, 58
Advisory Councils, 2	Operations, 62
and Committee Meetings, 8	Paraprofessional Training Units, 53
Appeals Councils, 5	Per Diem and Travel, 67
Committees, 1	Personnel
Composition of the, Officers 1	Evaluation Standards and Regulations, 31
Staffing, 7	Policies, 14, 33
Budgets, 69	Programs, 65
Bus Transportation, 48	Projects, Facilities, 68
Standards and Regulations, 31	Property, Insurance, 68
Charter Schools, 25	Public Advertisement of Policy, 11
Child and Adult Care Food Program, 46	Purchasing, 68
Civil Rights Compliance, 14	Pupil Progression and Remedial Education, 29
Classes, 65	Purpose,
Commission on Occupational Education, 62	and Objectives, 60
Common Operational Matters, 57	and Supervision, Special Schools and Special School Districts No. 1, Board, 56
Communicable Disease Control Policy, 38	Quality Education Support Fund (8g), 33
Competency Based Education, 36	Regional Management System, 61
Contracts for Professional Services, 68	Reports of Committees and Councils, 11
Courses, 65	Rules of Order, 8
Cooperation with Other Agencies, 8	School
Diplomas, Issuance of, 48	Approval Standards and Regulations, 14
Documents, Papers, Property, 8	Food Service Standards and Regulations, 31
Early Childhood Programs, 29	Library Standards, 31
Equal Employment Opportunity, 14	Software Standard, 36
Expenditure of Public Education Monies, 76	Special Education
Federal Funds, 70	Regulations, 30
General Policies, Vocational Education, 60	State Plan, 43
Guidelines for Act 728 (1979), Tri-Party Agreements, 54	Special School District No. 1, 5, 60
Home Study Regulations, 48	Special Schools, 5
Institute/Regional Management Center Calendars, 65	Staffing, 62
Internship Program for Nonpublic School Administrators, 48	State Advisory Council, 61
JTPA Projects, 67	State Content Standards, 42
Listing in School Directory, 48	State Plan for Drug-Free Schools, 47
Local Advisory Bodies, 61	Student Attendance Reports, 48
Louisiana	Students, 64
Child Nutrition Program Regulations, 44	Tape Recordings, 8
Dyslexia Law, 17	Teacher
Louisiana School	Certification Standards and Regulations, 17
for the Deaf, 59	Education Institutions and Regulations, 25
for the Visually Impaired, 60	
Louisiana Special Education Center, 60	

EDUCATION

Textbook Adoption Standards and Procedures, 32	Vocational Technical Schools, 6
Visits, 65	Waivers of Minimum Standards, Procedures, 11
Vocational Education State Plan, 44	